

GLENORCHY PLANNING AUTHORITY

AGENDA

MONDAY, 31 OCTOBER 2016



GLENORCHY CITY COUNCIL

- * *The General Manager certifies that the reports contained in this Agenda have been written by qualified persons under Section 65 of the Local Government Act 1993.*
- * Aldermen with an interest or concern in relation to a particular item on this Agenda, are invited to attend the meeting.
- * All application information is available to Aldermen for inspection upon request to the relevant Planning Officer.

Chairperson: Alderman K. Johnston

Hour: 3.00 p.m.

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1. PLANNING AUTHORITY DECLARATION
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The Chairperson stated that the Glenorchy Planning Authority intended to act as a Planning Authority under the Land Use Planning and Approvals Act 1993.

2. APOLOGIES/LEAVE OF ABSENCE

3. PECUNIARY INTERESTS

4. CONFIRMATION OF MINUTES

That the minutes of the Glenorchy Planning Authority Meeting held on 17 October 2016 be confirmed.

5. PROPOSED USE AND DEVELOPMENT - PROPOSED BAKERY AND COFFEE PROCESSING (RESOURCE PROCESSING) AND TAKE AWAY FOOD PREMISES (FOOD SERVICES) WITH A VARIATION TO PARKING RELYING ON PERFORMANCE CRITERIA - 10 SUNDERLAND STREET, MOONAH

Author: Planning Officer (Chantelle Griffin)

Qualified Person: Planning Officer (Chantelle Griffin)

Property ID: 5448031

REPORT SUMMARY:

Application No.:	PLN-16-209
Applicant:	J R Mackeen
Owner:	Wasatch Pty Ltd
Zone:	Light Industrial
Use Class	Resource Processing, Take-Away Food Shop
Application Status:	Discretionary
Discretions:	Use, extension to hours of operation, and parking (The proposal meets all other applicable standards as demonstrated in the attached appendices)
Level 2 Activity?	No
42 Days Expires:	12 Nov 2016
Existing Land Use:	Warehouse
Proposal In Brief:	Proposed Bakery and Coffee Processing (Resource Processing) & Take Away Food Premises (Food Services) with an extension to hours of operation and variation to parking relying on performance criteria

Representations:	1
Recommendation:	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The application is for a proposed Bakery and Coffee Processing (Resource Processing) & Take Away Food Premises (Food Services) with an extension to hours of operation and variation to parking relying on performance criteria at 10 Sunderland Street, Moonah.

The proposal would be for a change of use for the existing building on the front portion of the site only. The proposal would be for one business comprising of three separate uses that share amenities. The proposal would include a bakery in the rear of the building, coffee roasting in the eastern front corner, and a small take away food area in the northern corner. The take-away food area would be for the purpose of providing take-away coffee.

The proposal would include the following areas:

Administration:	31m ²
Bakery:	84m ²
Coffee roasting:	32m ²
Take Away Food Premises:	36m ²

The business would involve boutique coffee roasting, baked artisan breads and the sale of specialty take-away coffee. There will be an ancillary office at the front of the building.

The proposed hours of operation are as follows:

Monday to Friday	6am to 5pm
Saturday	6am to 5pm
Sunday	6am to 5pm
Public Holidays	6am to 5pm

The proposal would provide a total of 3 car parking spaces for the use of the front building on site, and have a maximum of 4 staff on the property.

The proposal would not include any signage.

SITE and LOCALITY

The subject site is located on the south-west side of Sunderland Street, approximately 65m to the north of the intersection with Hopkins Street, Moonah. The property has a front boundary of 13.98m, a depth of 30.27m and a total area of 253.54m².

The site is generally flat and falls toward the north-west. No significant vegetation is located on the lot. The site is located in the light industrial area, with the general business area of Moonah to the south and Commercial area to the west.

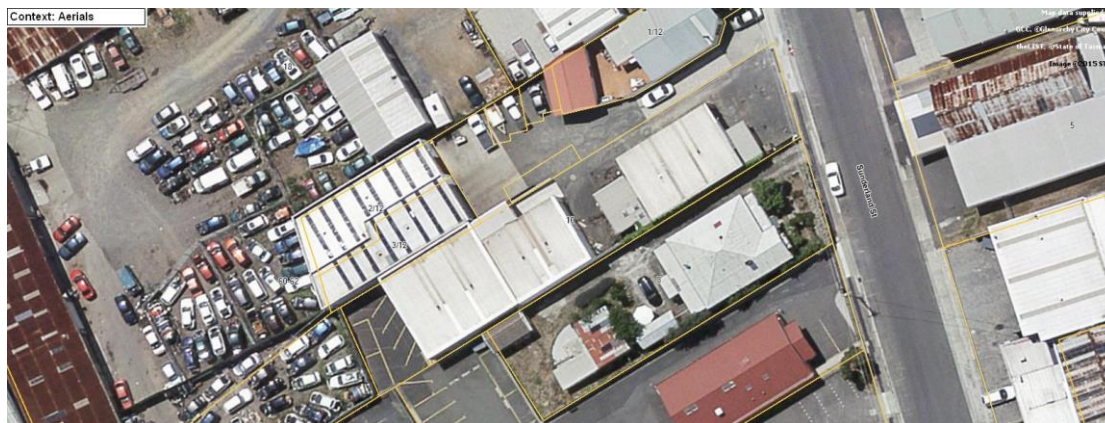


Figure 1: Aerial photo of 10 Sunderland Street, Moonah

ZONE

The subject property is within the Light Industrial Zone under the Glenorchy Interim Planning Scheme 2015.



Figure 2: Zone over 10 Sunderland Street, Moonah

BACKGROUND

The use of Warehouse (Storage) in the building at the rear of the site was approved with four car parking spaces on site. Three of these spaces were approved near the rear boundary with vehicular access via 8 Sunderland Street.

The following permits have been issued for the subject property:

- PLN-10-199 – Warehouse Additions – Approved 11 August 2010.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any other State Policies or with the objectives of the Land Use Planning and Approvals Act 1993 (LUPAA).

A condition is recommended requiring appropriate soil and water management to prevent erosion and the transport of sediments into surface waters, consistent with the State Policy on Water Quality Management.

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

Planning Scheme Operation (Does a SAP or Code override Zone provisions?)

No, but E6.0 Parking and Access Code does apply to the use and development.

Use Class Description (Table 8.2):

The Bakery and Coffee Processing falls within the Resource Processing use class description of the Glenorchy Interim Planning Scheme 2015.

The Take Away Food Premises falls within the Food Services use class description of the Glenorchy Interim Planning Scheme 2015.

Other relevant definitions (Clause 4.1):

The Take Away Food Premises use is defined as:

means use of land to prepare and sell food and drink primarily for immediate consumption off the premises.

Part C: Special Provisions

Not applicable.

Part D: Zones

The land is within the Light Industrial zone and the following Scheme zone purpose statements, use table, use standards and/or development standards apply to this proposal:

Zone Purpose Statements

The Light Industrial zone purpose statements in Clause 24.1.1 of the Glenorchy Interim Planning Scheme 2015 are as follows:

24.1.1.1

To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses.

24.1.1.2

To promote efficient use of existing industrial land stock.

24.1.1.3

To minimise land use conflict in order to protect industrial viability and the safety and amenity of sensitive land uses in adjacent zones.

24.1.1.4

To provide industrial activity with good access to strategic transport networks.

The proposed uses of Bakery, Coffee Processing, and Take Away Food Premises would provide for manufacturing, processing, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict of impact on amenity of any other uses. The proposal would promote existing industrial land and would be similar in use to other uses within the light industrial zone.

Use Table

The proposed uses of 'Bakery' and 'Coffee Processing' are discretionary uses without qualifications in accordance with the use table in Clause 24.2 of the Glenorchy Interim Planning Scheme 2015.

The proposed use of 'Take Away Food Premises' is a discretionary use with qualifications in accordance with the use table in Clause 24.2 of the Glenorchy Interim Planning Scheme 2015.

Use Standards

The proposal complies with the use standards set out in Clause 24.3 of the Glenorchy Interim Planning Scheme 2015. Please see Appendix 1.

Development Standards for Buildings or Works

The proposal complies with the development standards set out in Clause 24.4 of the Glenorchy Interim Planning Scheme 2015. Please see Appendix 1.

Development Standards for Subdivisions

Not applicable.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Parking and Access Code*Clause E6.6.1 – Standard A1*

The proposed Bakery would require 1 car parking space, the Coffee Processing would require 1 space and the Take Away Food Premises would require 6 spaces.

The proposal would require a total of 8 car parking spaces to be in accordance with Clause E6.6.1 – standard A1 of the Glenorchy Interim Planning Scheme 2015. The proposal provides a total of 3 car parking spaces. A variation may be considered in accordance with the performance criteria in clause E6.6.1 – P1 as follows:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

- (a) *car parking demand;*
- (b) *the availability of on-street and public car parking in the locality;*
- (c) *the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) *the availability and likely use of other modes of transport;*
- (e) *the availability and suitability of alternative arrangements for car parking provision;*
- (f) *any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) *any car parking deficiency or surplus associated with the existing use of the land;*
- (h) *any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) *the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) *any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) *any relevant parking plan for the area adopted by Council;*
- (l) *the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) *whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.*

The subject site is located on Sunderland Street within the Limited Industrial Zone, with access to public transport and public car parking. The proposal would be for the proposed uses for Bakery, Coffee Processing and Take Away Food Premises. The proposal would be for similar businesses that are in the surrounding area in close proximity to the main commercial area of Moonah.

As stated by Council's Development Engineer below:

'...As the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety...'

Therefore, the proposal would comply with the performance criteria in clause E6.6.1 – P1 in accordance with the Scheme. Please refer to the report by Council's Development Engineer below.

Clause E6.6.4 – Standard A1

The proposal would require a total of 4 bicycle parking spaces (2 staff and 2 customer spaces) in accordance with Clause E6.6.4 – standard A1 of the Glenorchy Interim Planning Scheme 2015. The proposal does not provide any bicycle parking spaces. A variation may be considered in accordance with the performance criteria in clause E6.6.4 – P1 as follows:

The number of on-site bicycle parking spaces provided must have regard to all of the following:

- (a) *the nature of the use and its operations;*
- (b) *the location of the use and its accessibility by cyclists;*
- (c) *the balance of the potential need of both those working on a site and clients or other visitors coming to the site.*

As stated previously, the subject site is located on Sunderland Street within the Limited Industrial Zone, with access to public transport and public car parking. The proposal would be for similar businesses that are in the surrounding area in close proximity to the main commercial area of Moonah.

Therefore, the proposal would comply with the performance criteria in clause E6.6.4 – P1 in accordance with the Scheme. Please refer to the report by Council's Development Engineer below.

Stormwater Management Code

The proposal is not exempt under Clause E7.4 of the Glenorchy Interim Planning Scheme 2015, however, the proposal complies with the standards in Section E7.0 of the Scheme. Therefore the proposal would be in accordance with Section E7.0 of the Glenorchy Interim Planning Scheme 2015. Please see Appendix 3.

PART F: Specific Area Plans

Not applicable.

INTERNAL REFERRALS

Development Engineer

The proposal was referred to Council's Development Engineer who provided the following:

Traffic, Access & Parking

Three (3) parking spaces are proposed to be located in front of the building and in tandem arrangement as per P2 plan dated 29/09/2016. Driveway and turning area widths are considered adequate and comply with the AS2890.1 Off-street parking for the on-site turning purposes.

The total number of parking spaces required for the proposal is 8 spaces whilst the development proposes 3 spaces to be provided. The TIA submitted addressed the parking shortfall matter and Council's a Transport Engineer has accepted the statement and conclusion in the TIA and has provided a Traffic Engineer Referral report.

There are no physical changes in the current traffic, access and parking arrangements. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application; and the existing stormwater connection is available off the Sunderland Street frontage.

Other

Geoscience issues

There are no geotechnical issues identified through Council's records that affect the application.

Flooding/Inundation issues

There are no flooding impacts identified through Council's records that affect the application.

Transport Engineer

The proposal was referred to Council's Transport Engineer who provided the following:

I have reviewed the proposed Bakery and Coffee Processing (Resource Processing) & Take Away Food Premises (Food Services) with variation to parking relying on performance criteria at 10 Sunderland Street, Moonah. The application documentation included a Traffic Impact Statement (TIS) prepared by Milan Prodanovic (dated September 2016).

Proposed Development

The subject site is located at 10 Sunderland Street, Moonah. The site was previously occupied by a machinery business.

The proposed development involves the modification of the main part of the building to accommodate a food processing business which will consist of coffee roasting, bakery and takeaway coffee.

The total gross floor area of the building is around 183m² including 152m² floor area of the main part of the building together with a small front extension to the main building which has an area of 18m² and will be used as office and a rear extension that includes a toilet and staff room has an area of 13m².

The proposed food processing business will operate with a maximum of four workers at the premises. It will operate from 6:00am to 5:00pm seven days a week.

The building has a frontage onto Sunderland Street with long-term car parking available between the Building and the frontage boundary.

Traffic Generation

The TIS states that the business will generate traffic movements consisting of car traffic belonging to the business owners/workers at the premises and delivery vehicles.

In addition, the report indicates that based on the advice from the business proponents, not all workers will arrive and depart the business as drivers of private cars. As a result, the report states that as a worst case scenario, three workers drive by car to and from the site which will generate six vehicle movements per day. The TIS also states that the number of delivery vehicles will vary from day to day between around six to twelve vehicle movements per day.

The report, then, explains while there will be between 12 to 18 vehicle movements per day, the workers vehicle movements and the delivery vehicle movements will each occur at different times of the day, generating at most 2 to 4 vehicle movements per hour during business hours.

The TIS indicates that the coffee sales part of the business will not generate any vehicle movements as the coffee sales will only attract pedestrian traffic from the

workforce in the light industrial area around the development site. The report also explains that the coffee will be sold 'at the door' as takeaway sales with no seating to be provided on the premises.

I agree that the traffic generated by the proposed development will not adversely impact upon the surrounding road network in terms of traffic efficiency or road safety.

Access

The report also indicates that with parked vehicles reasonably well away from the position of exiting vehicles due to the wide driveway crossover and 'No Stopping' restriction, the sight distances are adequate.

I agree that adequate sight distances are available at the access driveways of the proposed development.

Parking

Based on the Glenorchy Interim Planning Scheme 2015, the parking requirement for Food Services use is 15 spaces per 100m² of floor area or 1 space for each 3 seats, whichever is greater while the parking requirement for Resource Processing use is 1 space for each 50m² of floor area. The TIS states that with the floor area of 207.5m² and the assumption of coffee sales area to be 10% of the main building, the total parking requirement for the proposed development is 7 spaces. Advice from Council's planning section also shows that the proposed development requires the provision of 1 parking space for Coffee Roasting, 1 parking space for Bakery and 6 parking spaces for take away.

However, the TIS argues that with the development having only four workers on the premises, the required parking supply based on the planning scheme is far in excess of the actual parking demand that the development will generate. In this regard, the report states that it is expected the workers will require only two car parking spaces. The report also indicates that two cars can be comfortably parked at the front of the building next to the proposed office while it would be possible to jockey park another one car in this area without obstructing the access driveway to other parts of the overall site.

The report also notes that there is significant unrestricted on-street parking available along Sunderland Street which can be used if there will be any unexpected increase in the parking demand.

I agree with the conclusion that the above mentioned parking spaces are considered adequate for the proposed development and there will be no shortfall in available parking.

Delivery Vehicles

In terms of delivery vehicles, the TIS states that the commercial vehicles will be mostly small rigid vehicles. The report, then, indicates that all commercial vehicles will enter the driveway in a forward direction, park next to the building to deliver or pick up the goods and then proceed further to the rear of premises where the open space is much wider. The report also states that in this area, the available space is big enough to accommodate the swept path of a medium rigid vehicle undertaking a three-point turn so that the vehicles can leave the site in a forward direction. In addition, the TIS confirms that the truck turnaround manoeuvre will not create any issue with the shared use of the double driveway access to the two properties.

The report also indicates that the temporary parking for delivery vehicles at the side of the building will not create any passing issues for other vehicles during the short

duration of stay to load and unload, with the low number of passing vehicles movements generated by the businesses at the rear of No. 10-12 Sunderland Street.

Conclusion

As the proposed development is not expected to have any significant detrimental impacts on the surrounding road network in terms of traffic efficiency or road safety, I have no objection to the development of the proposed Bakery and Coffee Processing (Resource Processing) & Take Away Food Premises (Food Services) with variation to parking relying on performance criteria at 10 Sunderland Street, Moonah on traffic engineering or road safety grounds.

Environmental Health Officer

The proposal was referred to Council's Environmental Health Officer who provided the following:

Given the location of this development, it should not impact on any residential zones; with the closest residential zone approximately 125 metres from the site. However, to ensure that noise does not cause a nuisance it is recommended that the acceptable solution 24.3.2 A1 be applied to the permit as a condition.

Being approximately 125 metres from the closest residential zone also means that hours of operation, amplified music, outdoor work areas and commercial vehicle movements are not expected to impact on a residential zone under the Glenorchy Interim Planning Scheme.

The applicant, through their building surveyor, may need to request a Form 49 report from Council for the construction and fit out of the food business. It is recommended that advice be provided to the applicant to make them aware of their responsibility.

It is also recommended that advice be provided to the applicant regarding the discovered of asbestos during works on site.

EXTERNAL REFERRALS

TasWater

The application was referred to Tas Water which was supportive of the proposal with recommended conditions. The Water and Sewerage Industry Act 2008 requires the Planning Authority to include conditions from Tas Water if a permit is approved.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with one representation being received. The issues raised are as follows:

1. Vehicular Access

The representor raised concern that the site plan shows a shared access over the adjoining property to the north-west when there is no formal right-of-way.

Planner's Comment:

This issue is not a planning issue that can be considered as part of this application. However the application was only made for the property at 10 Sunderland Street. The applicant has confirmed this and a condition has been recommended for clarification.

CONCLUSION

The application is for Bakery and Coffee Processing (Resource Processing) & Take Away Food Premises (Food Services) with an extension to hours of operation and variation to parking relying on performance criteria at 10 Sunderland Street, Moonah. As stated in the report, the Bakery, Coffee Processing and Take Away Food Premises are discretionary uses (the variation for hours of operation and parking is also discretionary), and are considered to accord with the standards of the Light Industrial Zone of the Glenorchy Interim Planning Scheme 2015.

The variation to hours of operation is reflective of the proposal's existing development relative to the site and the surrounding area, the location. The proposed variation is considered to accord with the use standards of Part D Zones – 24.0 Light Industrial Zone in the Scheme.

The parking variations are reflective of the proposal's use and existing development and access to public transport. The proposed variations are considered to accord with the parking standards of E6.0 Access and Parking Code in the Scheme.

The application was notified for the statutory 14-day notification period, and one representation was received, raising concern regarding vehicular access. As stated in the report, the proposal is restricted to the property at 10 Sunderland Street and a condition has been recommended.

Council's Development Engineer and Environmental Health Officer are supportive of the proposal subject to recommended conditions.

The proposal is assessed to substantially comply with the requirements of Schedule 1 of the Land Use Planning and Approvals Act 1993 and the Glenorchy Interim Planning Scheme 2015, subject to the recommended conditions.

Recommendation:

That a permit be granted for the proposed use and development of Proposed Bakery and Coffee Processing (Resource Processing) and Take Away Food Premises (Food Services) with an extension to hours of operation and variation to parking relying on performance criteria at 10 Sunderland Street, Moonah subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-209 and Drawing No. P1 submitted on 15 September 2016, and Drawing No. P2 submitted on 29 September 2016, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. This permit is for the property at 10 Sunderland Street (CT 234570/1) only.
4. The area for Take-away Food Premises (Food Services) is approved for the area of 36m² as shown on the approved floor plan P2 dated 29 September 2016 for the purpose of selling coffee.
5. No signs are included in the permit.

Engineering

6. Prior to the issuing of a Building Permit Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of to be approved by the Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Environment, Parks, Heritage and the Arts. These are available from Council or online at www.derwentestuary.org.au.

7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.
9. Three (3) clearly marked car parking spaces must be provided as shown on the Site Plan submitted with the development application and kept available for these purposes at all times. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking.

The proposed driveway, three parking spaces and turning areas must be constructed to the sealed standard and surface drained in accordance with the approved drawings and with Council's requirements prior to the occupancy of the building.

10. The design and construction of the parking, access and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Detailed engineering drawings showing the driveway and manoeuvring areas, internal service lines and connections to service mains, surface drainage collection, pavement composition and finished levels must be in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and submitted with the Building Application for approval by Council's Development Engineer.

The proposed driveway, access and parking must comply with the following:-

- Be constructed to a sealed finish and the finished gradient for parking areas shall not exceed the maximum gradient of 5%;
- All runoff from paved and driveway areas must be discharged into Council's stormwater system; and
- Be line-marked in accordance with the approved P2 plan submitted to

Council dated 29/09/2016.

To comply with the above requirements, the developer must submit engineering drawings demonstrating compliance with the requirements to the satisfaction of Council's Development Engineer prior to the issuing of the Building Permit. All works required by this condition must be installed prior to the occupancy of the building.

Environmental Health

11. Noise emissions measured at the boundary of a residential zone must not exceed the following:

- (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm;
- (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am;
- (c) 65dB(A) (LMax) at any time.

Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.

Noise levels are to be averaged over a 15 minute time interval.

Advice to Applicant

This advice does not form part of the permit but is provided for the information of the applicant.

- (1) The proponent's Building Surveyor must forward copies of the following documents to the Senior Environmental Health Officer prior to any works being undertaken on site (including the installation of fixtures and fittings) that relate to the proposed food premises:
 - a. a request in an approved form (Form 42) for an Environmental Health Officer report;
 - b. any relevant drawings, specifications or other documents submitted with the application; and
 - c. details provided by the owner of the nature of the foods to be prepared, handled, stored or sold and the types of manufacturing processes to be undertaken on the premise
 - d. Council's Senior Environmental Health Officer may require the premises to meet equipment and fit out specifications which exceed those required by the *National Construction Code 2014*, before the premises can be registered and the food business licensed pursuant to the *Food Act 2003*.
- (2) If asbestos is identified during demolition/renovation then removal must be undertaken in accordance with the *Building Regulations 2014*. The regulations outline a number of mandatory requirements covering the removal of asbestos, this includes ensuring that all practicable steps are taken before a demolition occurs to identify the presence of asbestos and only permits waste asbestos to be disposed of at an approved waste management facility.
- (3) The designer must ensure that the needs of all providers including TasWater,

TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site. Phone 1100, Dial Before You Dig or visit www.dialbeforeyoudig.com.au for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

Other Permits

- (4) Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2000 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

APPENDIX 1

24.0 Light Industrial Zone

Standard	Acceptable Solution	Proposed	Complies?
24.3 Use of Standards			
24.3.1 Hours of Operation	A1 Hours of operation of a use within 100 m of a residential zone must be within: (a) 7.00 am to 7.00 pm Mondays to Fridays inclusive; (b) 9.00 am to 5.00 pm Saturdays; (c) nil Sundays and Public Holidays. except for office and administrative tasks.	This does not apply to this application as the property is in excess of 100m from the nearest residential zone.	N/A
24.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (LAmx) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.	The site is approximately 125m from the nearest residential zone. The site is surrounded by light industrial, general business and commercial zonings. Therefore, this development is expected to meet 24.3.2 A1. It is recommended that 24.3.2 A1 be added to the permit as a condition: <i>Noise emissions measured at the boundary of a residential zone must not exceed the following:</i> (a) 55dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to	Yes

Standard	Acceptable Solution	Proposed	Complies?
	Noise levels are to be averaged over a 15 minute time interval.	7.00 am; (c) 65dB(A) (LAmax) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness. Noise levels are to be averaged over a 15 minute time interval.	
	A2 External amplified loud speakers or music must not be used within 50 m of a residential zone.	This does not apply to this application as the property is in excess of 100m from the nearest residential zone.	N/A
24.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 10:00 pm and 6:00 am, except for security lighting; (b) security lighting must be baffled to ensure they do not cause emission of light outside the zone.	This does not apply to this application as the property is in excess of 100m from the nearest residential zone.	N/A
24.3.4 Commercial Movements Vehicle	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 7.00 am to 7.00 pm Mondays to Saturdays inclusive; (b) 9 am to 5.00 pm Sundays and public holidays.	This does not apply to this application as the property is in excess of 100m from the nearest residential zone.	N/A

Standard	Acceptable Solution	Proposed	Complies?
24.3.5 Outdoor Work Areas	A1 Outdoor work areas and noise-emitting services such as air conditioning equipment, pumps and ventilations fans must not be located within 50 m of a residential zone.	This does not apply to this application as the property is in excess of 100m from the nearest residential zone.	N/A
24.4 Development Standards for Buildings and Works			
24.4.1 Building Height	A1 Building height must be no more than: 9m.	Not Applicable.	N/A
	A2 Building height within 10 m of a residential zone must be no more than 8.5 m.	Not Applicable.	N/A
24.4.2 Setback	A1 Building setback from frontage must be parallel to the frontage and must be no more than: (a) 10 m; or (b) the alignment of the adjoining buildings whichever is the lesser.	Not Applicable.	N/A
	A2 Building setback from a residential zone must be no less than: (a) 10m; or (b) half the height of the wall,	Not Applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	whichever is the greater.		
24.4.3 Design	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new building or alterations to an existing facade provide windows and door openings at ground floor level in the front façade no less than 40% of the surface area of the ground floor level façade; (c) for new building or alterations to an existing facade ensure any single expanse of blank wall in the ground level front façade and facades facing other public spaces is not greater than 50% of the length of the facade; (d) screen mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; (f) provide awnings over the public footpath if existing on the site or on adjoining lots; (g) not include security shutters over windows or doors with a frontage to a street or public place.	Not Applicable.	N/A
	A2 Walls of a building facing a residential zone must comply with all of the following:	Not Applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	(a) be coloured using colours with a light reflectance value not greater than 40 percent; (b) if within 50m of a residential zone, must not have openings in walls facing the residential zone, unless the line of sight to the building is blocked by another building.		
24.4.4 Passive Surveillance	A1 Building design must comply with all of the following: (a) provide the main pedestrian entrance to the building so that it is clearly visible from the road or publicly accessible areas on the site; (b) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the front façade which amount to no less than 20 % of the surface area of the ground floor level facade; (c) for new buildings or alterations to an existing facade provide windows and door openings at ground floor level in the façade of any wall which faces a public space or a car park which amount to no less than 10% of the surface area of the ground floor level facade; (d) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (e) provide external lighting to illuminate car parking areas and pathways; (f) provide well-lit public access at the ground floor level from any external car park.	Not Applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
24.4.5 Landscaping	A1 Landscaping must be provided along the frontage of a site (except where access is provided) unless the building has a nil setback to frontage.	Not Applicable.	N/A
	A2 Along a boundary with a residential zone landscaping must be provided for a depth no less than: 10m.	Not Applicable.	N/A
24.4.6 Outdoor Storage Areas	A1 Outdoor storage areas for non-residential uses must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped areas.	Complies.	Yes
24.4.7 Fencing	A1 Fencing must comply with all of the following: (a) fences, walls and gates of greater height than 2.1 m must not be erected within 10 m of the frontage; (b) fences along a frontage must be at least 50% transparent above a height of 1.2 m; (c) height of fences along a common boundary with land in a residential zone must be no more than 2.1 m and must not contain barbed wire.	Not Applicable.	N/A

APPENDIX 2

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (a) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	The proposal includes 3 car parking spaces on site. Compliance would require 8 car parking spaces, and this would result in a variation of 5 car parking spaces.	No Refer to discussion in the report.
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Not applicable.	N/A
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number).	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
	Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	The proposal includes no bicycle parking spaces. Compliance would require 4 bicycle parking spaces, and this would result in a variation of 4 bicycle parking spaces.	No Refer to discussion in the report.
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	Not applicable.	N/A
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.	Complies.	YES

Standard	Acceptable Solution	Proposed	Complies?
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (a) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	Complies.	Yes
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Complies.	Yes
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.	Complies.	Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following;	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.		
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Not applicable.	N/A
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Not applicable.	N/A
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (a) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	Not applicable.	N/A

Standard	Acceptable Solution	Proposed	Complies?
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	Not applicable.	N/A
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	Not applicable.	N/A
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	Not applicable.	N/A
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Not applicable.	N/A
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 :	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.		
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Complies.	Yes

APPENDIX 3

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	Complies, the existing building and sealed car parking area will be disposed of by gravity to public stormwater infrastructure.	Yes
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m²; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	Complies.	Yes
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Complies.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	Complies.	Yes

Attachments/Annexures

- 1** Attachment - 10 Sunderland Street, Moonah

6. PROPOSED USE AND DEVELOPMENT - ADDITIONS TO SINGLE DWELLING (RESIDENTIAL) RELYING ON PERFORMANCE CRITERIA - 4 KELVIN AVENUE, MOONAH

Author: Planning Officer (Vanessa Tomlin)

Qualified Person: Planning Officer (Vanessa Tomlin)

Property ID: 5433139

REPORT SUMMARY:

<i>Application No.:</i>	PLN-16-192
<i>Applicant:</i>	J N Pamplin and M L Pamplin
<i>Owner:</i>	J N Pamplin and M L Pamplin
<i>Zone:</i>	Inner Residential
<i>Use Class</i>	Residential
<i>Application Status:</i>	Discretionary
<i>Discretions:</i>	11.4.2 Setbacks and building envelope and 11.4.3 Site coverage and private open space (The proposal meets all other applicable standards as demonstrated in the attached appendices)
<i>Level 2 Activity?</i>	No
<i>42 Days Expires:</i>	18 Nov 2016
<i>Existing Land Use:</i>	Single Dwelling (Residential)
<i>Representations:</i>	1
<i>Recommendation:</i>	Approval, subject to conditions

REPORT IN DETAIL:

PROPOSAL

An addition to a single dwelling is proposed. The proposal involves the construction of a master bedroom with ensuite, a study, a courtyard and elevated deck to the rear of the existing dwelling. The proposed deck is to be located above the proposed master bedroom addition and the access to the deck is via external stairs. A 1.7m high privacy screen is proposed along the south-eastern side of the proposed deck.

The proposal relies on performance criteria of 11.4.2 Setbacks and building envelope and 11.4.3 Site coverage and private open space, to comply with the applicable standards.

SITE and LOCALITY

The site is located on the western side of the cul-de-sac head at the end of Kelvin Avenue, Moonah (Fig. 1).



Figure 1. A snapshot of an aerial view of the proposal site and surrounds, Council record, Exponare

The site is situated amongst established residential development, consisting primarily of single dwellings. The site has an area of 632m² and has approximately 16.8m of frontage to Kelvin Avenue. The site slopes down from the west to the east, with a slope gradient of approximately 1 in 4. Stormwater infrastructure runs along either side boundary of the site. However, there are no restrictive covenants identified on the site.

ZONE

The site is situated in the Inner Residential Zone (Fig. 2).



Figure 2. A snapshot of the zoning of the area, showing the site situated in the Inner Residential zone.

BACKGROUND

There is no relevant background information on file relevant to this application.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any other State Policies or with the objectives of the Land Use Planning and Approvals Act 1993 (LUPAA).

A condition is recommended requiring appropriate soil and water management to prevent erosion and the transport of sediments into surface waters, consistent with the State Policy on Water Quality Management.

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil

Limited Exemptions

Nil

Planning Scheme Operation (Does a SAP or Code override Zone provisions?)

Provisions of a SAP or Code do not override Zone provisions in this assessment.

Use Class Description (Table 8.2):

Residential use class means the use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.

Other relevant definitions (Clause 4.1):

Applicable standard means as defined in subclause 7.5.2, which is a standard in a zone, specific area plan or code, is an applicable standard if:

- (a) the proposed use or development will be on a site within a zone or the area to which a specific plan relates, or is a use or development to which the code applies; and
- (b) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

Standard means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.

Single Dwelling means a dwelling on a lot on which no other dwelling is situated, or a dwelling and an ancillary dwelling on a lot on which no other dwelling is situated.

Dwelling means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.

Habitable room means any room of a dwelling other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.

Part C: Special Provisions

No special provisions apply to the assessment of this proposal.

Part D: Zones

The land is within the Inner Residential Zone and the following Scheme zone purpose statements, use table, use standards and/or development standards apply to this proposal:

Zone Purpose Statements

The purpose of the Inner Residential zone is to provide for a variety of residential uses and dwelling types close to services and facilities in inner urban and historically established areas, which uses and types respect the existing variation and pattern in lot sizes, set back, and height; to provide for compatible non-residential uses that primarily serve the local community; to encourage residential development at higher densities in locations within walkable distance of services, facilities, employment and high frequency public transport corridors; and to provide for a change in character from single dwellings on larger lots to alternative forms of housing such as terrace housing and apartments at greater density and with improved public open space amenity, whilst protecting amenity for existing nearby development.

The proposal is considered to support the purpose of the zone owing to the further development of an existing residential use that is expected to protect the amenity of nearby development.

Use Table

Residential development for single dwellings in the Inner Residential zone can be 'no permit required' if the proposal complies with the applicable standards of the planning scheme. This application relies on performance criteria to comply with applicable standards and is a discretionary application, in accordance with Clause 8.8.1 (b), as a result.

Use Standards

The use standards are not applicable standards for the assessment of this application, owing to the use standards being applicable to non-residential uses, visitor accommodation and a local shop.

Development Standards for Residential Buildings & Works*11.4.2 Setbacks and building envelope*

The proposed deck has a privacy screen which faces the south-eastern side boundary. The privacy screen extends outside the building envelope prescribed in acceptable solution A3 (Fig. 3).

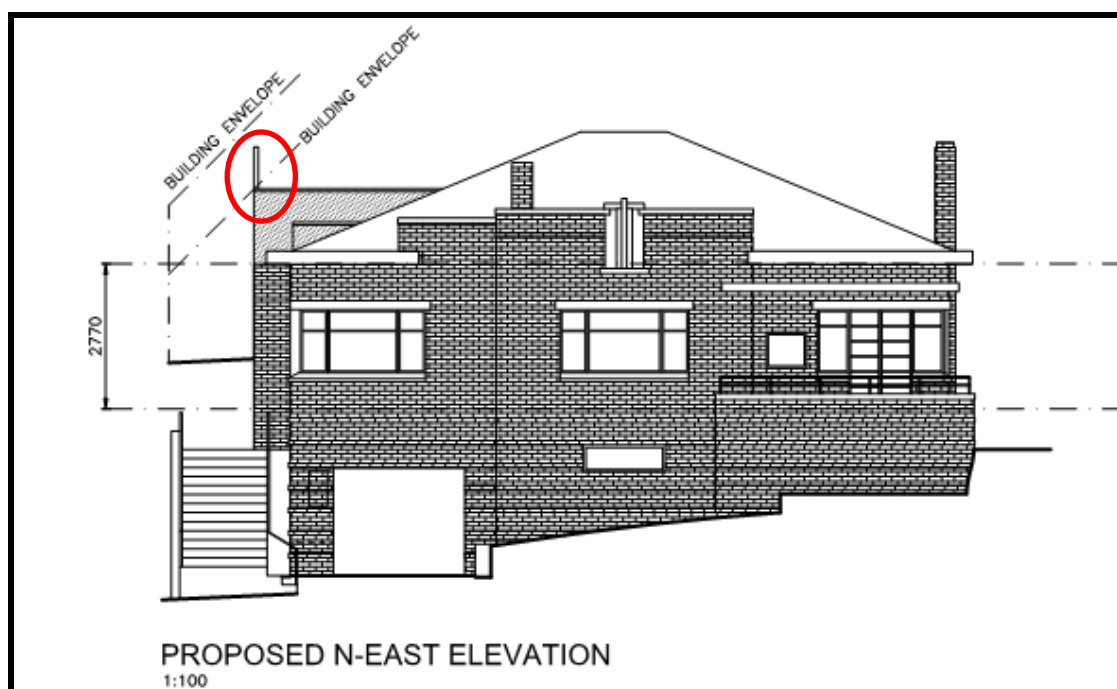


Figure 3. A snapshot of the proposal showing the privacy screen extending above the building envelope.

The objective of the standard is to control the siting and scale of dwellings to provide reasonably consistent separation between dwellings on adjacent sites and a dwelling and its frontage; and provide consistency in the apparent scale, bulk, massing and proportion of dwellings; and provide separation between dwellings on adjacent sites to provide reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space. The performance criteria requires the siting and scale of a dwelling must not cause unreasonable loss of amenity by: reduction in sunlight to a habitable room (other than a bedroom) of a dwelling on an adjoining lot; or overshadowing the private open space of a dwelling on an adjoining lot; or overshadowing of an adjoining vacant lot; or visual impacts caused by the apparent scale, bulk or proportions of the dwelling when viewed from an adjoining lot; and provide separation between dwellings on adjoining lots that is compatible with that prevailing in the surrounding area.

A shadow diagram demonstrates the extent of the potential shadow cast over the adjoining property (Fig. 4).

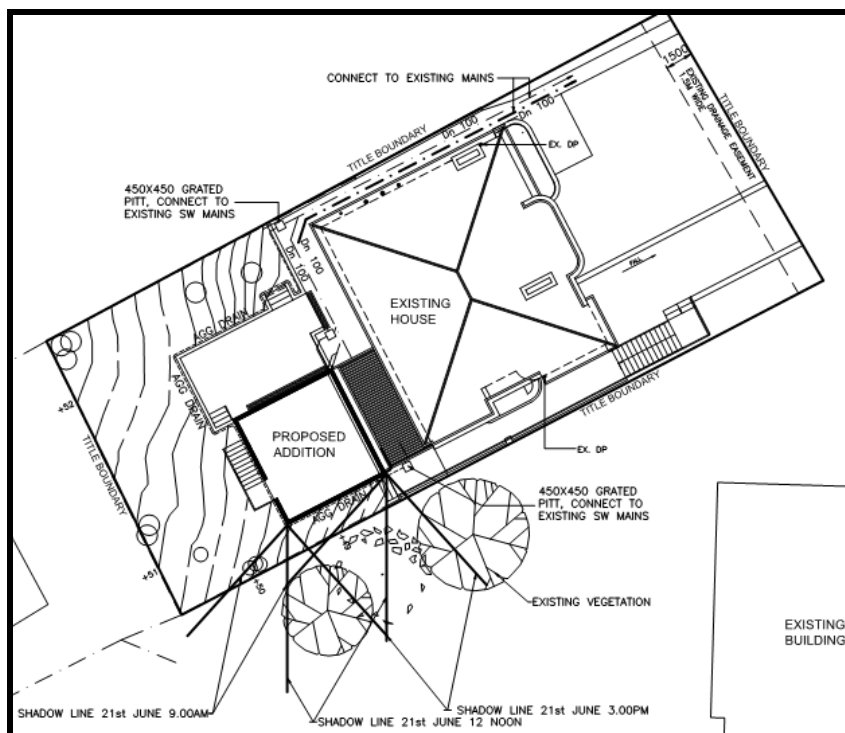


Figure 4. A snapshot of the shadow diagram, showing the extent of the potential shadow cast over the adjoining property.

The shadow diagram indicates that the proposal would not cause a reduction in sunlight to a habitable room of the adjoining dwelling and would not unreasonably overshadow the private outdoor space of that dwelling. This is because the extent of the potential shadow cast is limited to less than half of the outdoor space and does not extend to the dwelling. This is attributed to the separation distance between the proposal and adjoining dwelling, which is compatible with that prevailing in the surrounding area.

With respect to visual impact when viewed from an adjoining lot, the scale and proportions of the proposal are assessed as not causing an unreasonable impact to amenity given that the portion of the proposal extending above the boundary fence is less than the portion of the existing house that extends above the boundary fence. Therefore, it is reasonable to conclude that the proposal would have a lesser impact than that of the existing dwelling (Fig. 5).

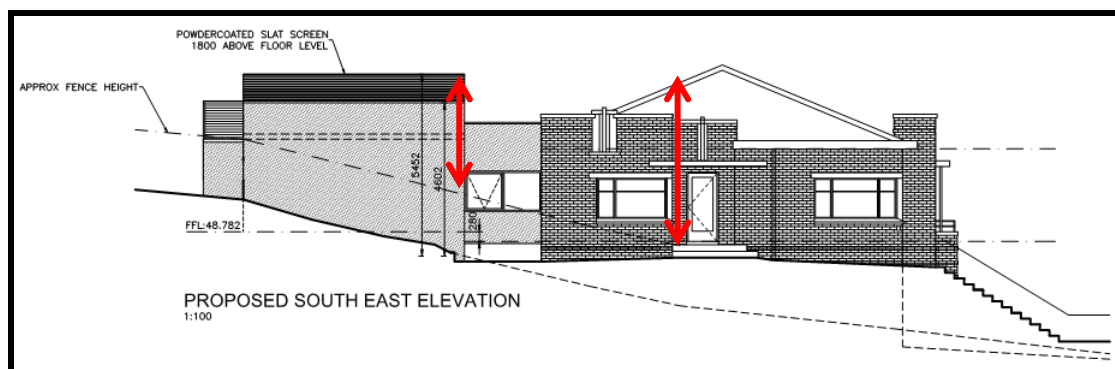


Figure 5. A snapshot of the south-eastern elevation showing the extent of the proposal and the existing dwelling projecting above the boundary fence

The proposal is assessed as satisfying the performance criteria and complies with the standard.

11.4.3 Site coverage and private open space

The proposal relies on performance criteria P2 as a result of the private outdoor space not having direct access from and adjacent to, a habitable room (other than a bedroom). The proposal has direct access to the private outdoor space from a study and hallway (Fig. 6).

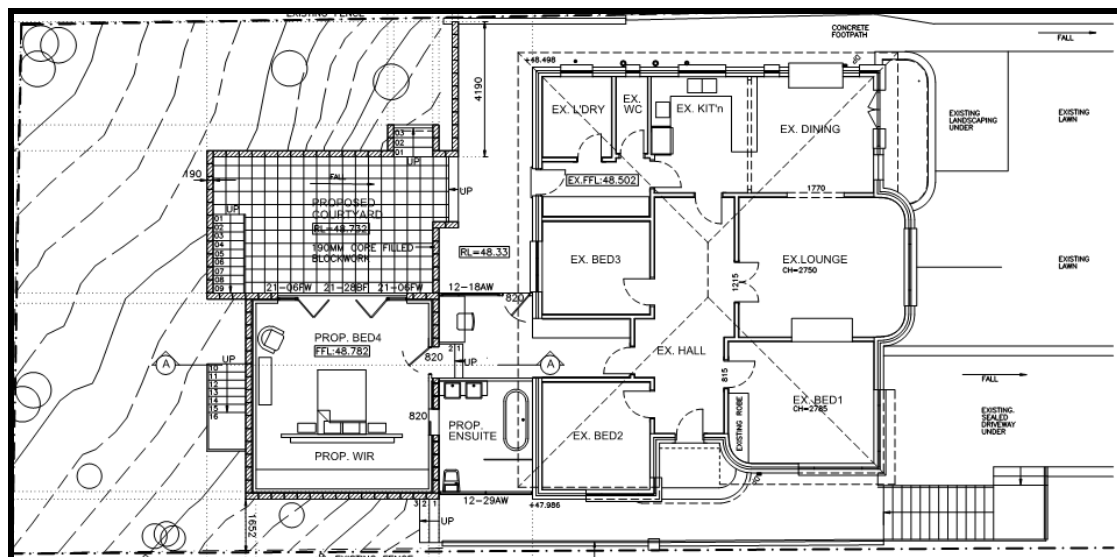


Figure 6. A snapshot of the layout of the proposal, showing access to the private outdoor space via a study and hall way.

The objective of the standard is to provide for outdoor recreation and the operational needs of the residents; and opportunities for the planting of gardens and landscaping; and private open space that is integrated with the living areas of the dwelling; and private open space that has access to sunlight. To achieve this, the performance criteria requires a dwelling must have private open space that includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play that is conveniently located in relation to a living area of the dwelling; and orientated to take advantage of sunlight; unless the projected requirements of the occupants are considered to be satisfied by communal open space or public open space in close proximity.

Given that the private outdoor space can be accessed easily from the living spaces within the dwelling and the private outdoor space is orientated to take advantage of the sunlight, the proposal satisfies the performance criteria and complies with the standard.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Parking and Access Code

No changes are proposed to existing access and parking arrangements.

Stormwater Management Code

The proposal is to connect to the existing stormwater infrastructure. Councils' Development Engineer is satisfied that the proposal complies with the applicable standards.

PART F: Specific Area Plans

No SPA applies to the assessment of this application.

INTERNAL REFERRALS

Development Engineer

Council's Development Engineer has made the following recommendations.

Traffic, Access & Parking

There is no change in the current traffic, access and parking arrangements. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application and the stormwater connection is available off the Kelvin Avenue frontage.

Other

Geoscience issues

There are no geotechnical issues identified through Council's records that affect the application.

Flooding/Inundation issues

There are no flooding impacts identified through Council's records that affect the application

EXTERNAL REFERRALS

TasWater

TasWater is in support of the proposal and has recommended conditions of approval and advice.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with one representation received. The issues raised are as follows:

1. Amenity

The representor states that the proposal would cause an unreasonable loss of amenity due to a reduction in sunlight to habitable rooms; overshadowing of the private outdoor space of the adjoining property, which would restrict the use of this space, in such activities as clothes drying, fruit and vegetable production and children's play area; and unreasonable visual impact caused by scale, bulk and proportions of the proposal, when viewed from the adjoining property. In addition, these effects would cause a loss of property value.

Planner's Comment:

This issue has been previously addressed under the heading 'Development Standards for Residential Buildings & Works'. The proposal is assessed as not causing an unreasonable loss of amenity, in accordance with performance criteria P3 of 11.4.2 Setbacks and building envelope. Additionally, property values are not a planning related issue that can be dealt with in this assessment.

2. Privacy

The representor states that the proposed deck or roof terrace would adversely affect the privacy of the private outdoor space of the adjoining property

Planner's Comment:

The proposal is taken to comply with the privacy standards owing to the proposed privacy screen that is to be 1.7m in height, on the side of the proposal facing the adjoining property to the south. Furthermore, the proposal complies with the privacy standards because no window to a habitable room is proposed within 3m of the side boundary.

3. Services

The representor states that there is insufficient stormwater collection and drainage proposed to service the proposal. In addition, the representor is concerned about encroachment onto the existing sewer main.

Planner's Comment:

Council's Development Engineer is satisfied that the existing stormwater infrastructure can accommodate the proposal. The plumbing approvals process will ensure the site is drained appropriately. The application was referred to TasWater and conditions of approval have been recommended accordingly.

CONCLUSION

The proposal is relying on the performance criteria to comply with the setbacks and building envelope standard and the site coverage and private open space standard. The proposal is assessed as satisfying the performance criteria and complies with the applicable standards. The proposal is assessed as complying with all other use and development standards in the Inner Residential zone, as well as the relevant standards of the Parking and Access Code and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and one representation was received.

The issues raised in the representation were considered as part of the assessment of the proposal. However, it is concluded that the proposal is consistent with the Scheme's zone purpose statements and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of additions to single dwelling (Residential) relying on performance criteria at 4 Kelvin Avenue Moonah subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-192 and Drawing No. P3 submitted on 21 October 2016, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. The 1.8m high privacy screen on the south-eastern side of the elevated deck (roof terrace), as show on the approved plan, must be constructed prior to occupancy of the addition to the existing dwelling. The privacy screen must be maintained and remain insitu for the life of the use.

Engineering

4. Soil and water management is to comply with best practice to prevent any transfer of soil material outside of the area specifically and necessarily disturbed for construction. Particular attention is to be paid to ensure no soil material is tracked onto roads and footpaths or to enter the Council's stormwater system. All aspects and protection measures in connection with soil and water management are to comply with the requirements of Council's Development Engineer and be installed prior to the removal of and/or disturbance of any soil or vegetation.
5. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
6. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor.

Advice to Applicant

This advice does not form part of the permit but is provided for the information of the applicant.

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2000 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

Services

The designer must ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site. Phone 1100, Dial Before You Dig or visit www.dialbeforeyoudig.com.au for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

Stormwater management

All development applications that result in an increase in the impervious area of the site, and therefore the peak stormwater discharge rate must incorporate an On-Site Detention System (OSD) in accordance with Council Policy No 28-4. The proposed OSD must provide a runoff storage volume equivalent to the difference between the allowable site discharge and the anticipated maximum discharge over the period of the design storm. An OSD proposal must be submitted with the Plumbing Permit Application and detailed in a hydraulic design for assessment and approval by Council's Plumbing Permit Authority. Water Sensitive Urban Design (WSUD) elements are encouraged. If the developer has any enquiries relating to acceptable methods of providing On-site detention, they should contact Council's Plumbing Surveyor on (03) 6216 6800.

APPENDIX 1**11.0 Inner Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
11.4 Development Standards for Buildings and Works			
11.4.1 Residential density for multiple dwellings	A1 Multiple dwellings must have a site area per dwelling of not less than 200m ² and not more than 400m ² .	The proposal is for additions to an existing single dwelling.	NA
11.4.2 Setbacks and building envelope	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) at least 3m, or, if the setback from the frontage is less than 3m, not less than the setback from the frontage of any existing dwelling on the site; (b) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street.	The proposal additions are to be located to the rear of the existing dwelling.	NA
	A2 A garage or carport must have a setback from a frontage of at least: (a) 4m, or alternatively 1m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or	A garage or carport is not proposed.	NA

Standard	Acceptable Solution	Proposed	Complies?
	(c) m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage. A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to diagrams 11.4.2A, 11.4.2B, 11.4.2C and 11.4.2D) determined by: (i) a distance equal to the permitted frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 3m from the rear boundary; to a building height of not more than 9.5 m above natural ground level; and (b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
		The privacy screen extends outside the vertical building envelope.	No
11.4.3 Site coverage and private open space	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and	a) The propose site coverage is 31.4%. b) The proposal is in association to a	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(b) for multiple dwellings, a total area of private open space of not less than 50m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	single dwelling. c) At least 25% of the is free of impervious surfaces.	
	A2 A dwelling must have an area of private open space that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (b) has a minimum horizontal dimension of: (i) 3 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and	a) 24m² of private outdoor space is provided in one location; b) With a minimum horizontal width of 3m; c) The POS does not have direct access from or is adjacent to, a habitable room (other than a bedroom), noting that a habitable room is means any room of a dwelling other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, hallway, lobby, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods. d) The POS is not to be (e) located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north; e) The POS is not to be located between the dwelling and the frontage;	No

Standard	Acceptable Solution	Proposed	Complies?
	(e) located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.	f) The POS gradient is not steeper than 1 in 10; and g) is not used for vehicle access or parking.	
11.4.4 Sunlight and overshadowing	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north (see Diagram 11.4.4A).	The dwelling has at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west and 30 degrees east of north.	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 11.4.4A), must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	Not an applicable standard.	NA

Standard	Acceptable Solution	Proposed	Complies?
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 11.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 11.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.	Not an applicable standard.	NA
11.4.5 Width of openings for garages and carports	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	No garage or carport is proposed.	NA
	A1	The proposed deck is to have a finished	Yes

Standard	Acceptable Solution	Proposed	Complies?
11.4.6 Privacy for all dwellings	A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side or rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the boundary; and (b) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	floor level more than 1m above the natural ground level and a privacy screen to at least 1.7m in height in the side facing the side boundary where the setback is to be 1.65m.	
	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) the window or glazed door: (i) is to have a setback of at least 3 m from a side or rear boundary; and (ii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and	No window to a habitable room is proposed within 3m of the side or rear boundary.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(iii) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) the window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.		
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least: (a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.	Not an applicable standard.	NA

Standard	Acceptable Solution	Proposed	Complies?
11.4.7 Frontage Fences	A1 A fence (including a free-standing wall) within 3 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.5 m, if any part of the fence that is within 3m of a primary frontage has openings above a height of 1.2m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	A frontage fence is not proposed.	NA
11.4.8 Waste Storage for multiple dwellings	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 3 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2m above the finished surface level of the storage area.	Not an applicable standard.	NA
11.4.9 Non-dwelling development	A1 Non-dwelling development must comply with all of the following acceptable solutions as if it were a dwelling: (a) 11.4.2 A1 and A3; (b) 11.4.3 A1 (a) and (c); (c) 11.4.7 A1.	Not an applicable standard.	NA

Standard	Acceptable Solution	Proposed	Complies?
	A2 Non-residential garages and carports must comply with all of the following acceptable solutions as if they were ancillary to a dwelling: (a) 11.4.2 A2; (b) 11.4.5 A1.	Not an applicable standard.	NA
	A3 Outdoor storage areas must comply with all of the following: (a) be located behind the building line; (b) all goods and materials stored must be screened from public view; (c) not encroach upon car parking areas, driveways or landscaped area.	Not an applicable standard.	NA

Appendix 2

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	Provided to discharge to the existing connection	Yes
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (a) the size of new impervious area is more than 600 m ² ; (b) new car parking is provided for more than 6 cars; (c) a subdivision is for more than 5 lots.	N/A	NA
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	Comply with (b)	Yes
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	N/A	NA

Attachments/Annexures

- 1** Attachment - 4 Kelvin Avenue, Moonah

7. PROPOSED USE AND DEVELOPMENT - EIGHT MULTIPLE DWELLINGS (RESIDENTIAL) RELYING ON PERFORMANCE CRITERIA - 160A SPRINGFIELD AVENUE, WEST MOONAH

Author: Planning Officer (Vanessa Tomlin)

Qualified Person: Planning Officer (Vanessa Tomlin)

Property ID: 7210625

REPORT SUMMARY:

<i>Application No.:</i>	PLN-16-175
<i>Applicant:</i>	Wilson Homes Tasmania Pty Ltd
<i>Owner:</i>	SYMIC Pty Ltd
<i>Zone:</i>	General Residential
<i>Use Class</i>	Residential
<i>Application Status:</i>	Discretionary
<i>Discretions:</i>	Site coverage and private open space for all dwellings, Privacy for all dwellings and Number of Car Parking Spaces. (The proposal meets all other applicable standards as demonstrated in the attached appendices)
<i>Level 2 Activity?</i>	No
<i>42 Days Expires:</i>	20 November 2016
<i>Existing Land Use:</i>	Residential
<i>Representations:</i>	0
<i>Recommendation:</i>	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The proposal involves the construction of eight dwellings over two stages. Proposed dwellings 1 to 5 are to be constructed as stage one and dwellings 6 to 8 will be constructed in stage two.

Proposed dwellings 1 to 4 each consist of two bedrooms, a bathroom, open-plan kitchen, dining and living area, a single garage and a deck, approximately 13m² in area, with a 1.7m high privacy on the western elevation of each deck. More than 60m² of private outdoor space is allocated to each of these dwellings and the dwellings are to be separated by 1.8m high fences. Proposed dwelling 5 is a double storey design with two bedrooms, bathroom, and single garage with laundry, entry foyer and stairs to the first floor. The first floor is to consist of an open plan kitchen, living and dining area, a bedroom, bathroom and hall with access to a 30.08m² deck. Landscaping utilised as privacy screening is proposed between dwelling 5 and 6. Proposed dwellings 6, 7 and 8 are also a double storey design, which includes the ground floor level with a single garage, laundry and access to the sub-floor area, as well as entry and stairs to the first floor. The first floor is to consist of an open plan kitchen, dining and living area, two bedrooms and a bathroom. Dwellings 6, 7 and 8 will each have a deck, accessed from the dining and living area of the dwellings. Dwellings 6, 7 and 8 each have provision for 65m² of private outdoor space.

Overall the proposal has provision for 17 car parking spaces and passing bays throughout the site. Stormwater is to be managed on site and a bin enclosure, designed to accommodate 10 bins is to be located near the access to the site. The proposal involves extensive excavation and retaining walls are proposed, where required, along the access way and around the dwellings.

The proposal is relying on performance criteria to comply with the 10.4.3 Site coverage and private open space for all dwellings, 10.4.6 Privacy for all dwellings and E6.6.1 Number of Car Parking Spaces.

SITE and LOCALITY

The site is located on the western side of Springfield Avenue, adjacent to Atherton Avenue and approximately 50m south of Corinda Grove, West Moonah. There is vacant land to the south of the site and residential development on all other adjoining lots (Fig. 1).

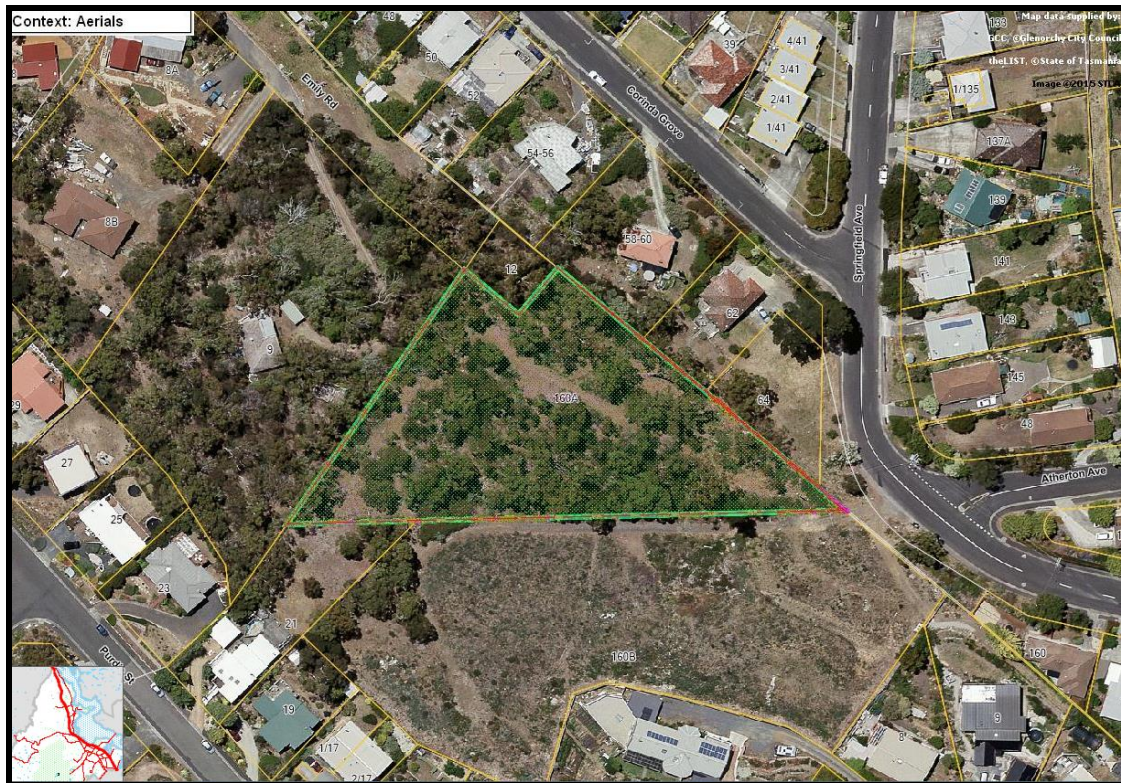


Figure 1. An aerial view of the site, which is amongst residential development.

The site is triangular in shape and has approximately 9.6m of frontage to Springfield Avenue and an area of 5269m². The site has a slope gradient steeper than 1 in 4 and historically the site has been moderately vegetated. The site has been recently cleared.

ZONE

The site is situated in the General Residential Zone (Fig. 2).

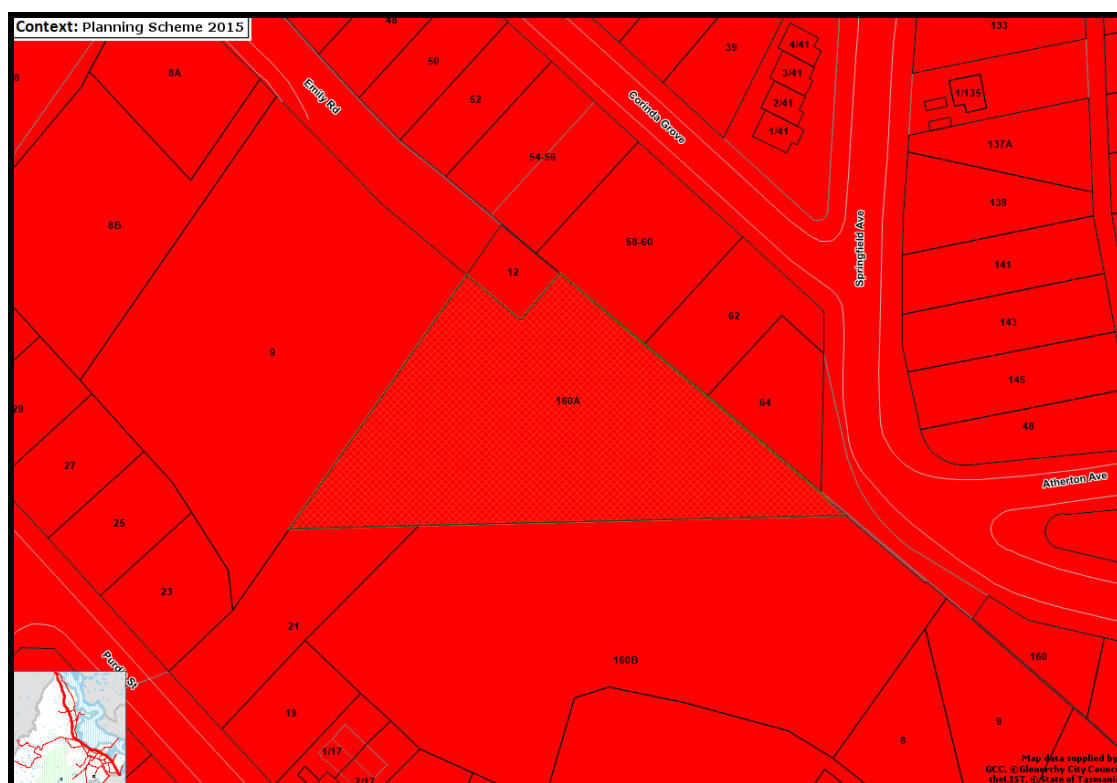


Figure 2. The site is wholly located in the General Residential Zone, Council record, Exponare.

BACKGROUND

- PLN-06-03799 Construct twelve (12) multiple dwelling units, approved 11/04/07
- PLN-07-4841 Fourteen (14) multiple dwelling units, refused 09/02/11. Reason for refusal was insufficient information to assess the application.
- PLN-11-341 Thirteen Dwelling Units with variation to internal building setbacks, side boundary setbacks, height, private outdoor space, car parking within road alignment setback and on land with slope greater than 1 in 4, approved 30/04/12
- PLN-15-115 Fourteen (14) multiple dwelling units with setback from boundary, setback from other buildings, height, outdoor space (private) and access and parking discretions, on potentially unstable land, approved 10 August 2015. A minimum of 21 parking spaces were included and a shared bin waste management service was approved. This application was assessed under the Glenorchy Planning Scheme 1992.
- PLN-15-115.01 This minor amendment to planning permit PLN-15-115 proposed staging of the development, where proposed unit 1 to 5 will form stage one, with the remaining units to be developed as stage two, approved 6 January 2016. Stage one of this permit has been acted on, resulting in the construction of dwellings 1 to 5.
- PLN-15-115.02 A minor amendment application was received, where it was proposed that the number of dwellings be reduced from 14 to 11.

This application was determined to be more than a minor change to the description of the planning permit issued and did not satisfy the provisions of s56 of the Land Use Planning and Approvals Act 1993. As such, the application could not be considered as a minor amendment and a fresh application would need to be submitted for assessment.

The application was advertised with the description of 'eleven multiple dwellings (residential) relying on performance criteria'. The applicant has confirmed that the number of dwellings is to be reduced to eight and constructed over two stages. It is noted that the site plan, stage 1 site plan WH8785, dated 31 March 2015 shows eleven dwellings. A condition of approval is recommended to ensure only eight dwellings are constructed, should the application be approved, as directed by the applicant.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any other State Policies or with the objectives of the Land Use Planning and Approvals Act 1993 (LUPAA).

A condition is recommended requiring appropriate soil and water management to prevent erosion and the transport of sediments into surface waters, consistent with the State Policy on Water Quality Management.

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil

Limited Exemptions

Nil

Planning Scheme Operation (Does a SAP or Code override Zone provisions?)

SAP or Code provisions do not override Zone provisions in the assessment of this application.

Use Class Description (Table 8.2):

Residential means the use of land for self-contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.

Other relevant definitions (Clause 4.1):

Applicable standard means as defined in subclause 7.5.2, which is a standard in a zone, specific area plan or code, is an applicable standard if:

- (a) the proposed use or development will be on a site within a zone or the area to which a specific plan relates, or is a use or development to which the code applies; and
- (b) the standard deals with a matter that could affect, or could be affected by, the proposed use or development.

Standard means, in any zone, code or specific area plan, the objective for a particular planning issue and the means for satisfying that objective through either an acceptable solution or performance criterion presented as the tests to meet the objective.

Dwelling means a building, or part of a building, used as a self-contained residence and which includes food preparation facilities, a bath or shower, laundry facilities, a toilet and sink, and any outbuilding and works normally forming part of a dwelling.

Site area per dwelling means the area of the site (excluding any access strip) divided by the number of dwellings.

Finished ground level when used in respect of a development means the level of a site at any point after the development has been completed.

Natural ground level means the natural level of a site at any point.

Part C: Special Provisions

No special provisions of the Scheme apply to this proposal.

Part D: Zones

The land is within the General Residential zone and the following Scheme zone purpose statements, use table, use standards and/or development standards apply to this proposal:

Zone Purpose Statements

The purpose of the zone is to provide for residential use or development that accommodates a range of dwelling types at suburban densities, where full infrastructure services are available or can be provided; to provide for compatible non-residential uses that primarily serve the local community; and to provide for the efficient utilisation of services

Use Table

Residential (Multiple dwellings) is a permitted use and development within the General Residential Zone. However, the proposal is discretionary owing to reliance on performance criteria.

Use Standards

Not applicable standards, as the use standards relate to non-residential use, visitor accommodation and local shops.

Development Standards for Residential Buildings & Works

10.4.3 Site coverage and private open space for all dwellings

The proposal relies on performance criteria P2 to comply with the standard, owing to the private outdoor space of dwellings 1, 2, 3 and 4 not being directly accessible from, and adjacent to, a habitable room (other than a bedroom).

The objective of the standard is to provide for outdoor recreation and the operational needs of the residents; and opportunities for the planting of gardens and landscaping; private open space that is integrated with the living areas of the dwelling; and private open space that has access to sunlight. To achieve this end, the performance criteria requires a dwelling to have private open space that includes an area that is capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and that is conveniently located in relation to a living area of the dwelling; and orientated to take advantage of sunlight.

The private outdoor space allocation for each of these dwellings ranges from 103m² to 123m², with approximately 13.5m² of private outdoor space provided by north-facing decks, that are directly accessible from, and adjacent to, a habitable room (other than a bedroom) of each dwelling. Accordingly, the proposal is assessed as providing areas of private outdoor space that are capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play. In addition, the proposed private outdoor space is conveniently located and orientated to take advantage of sunlight. The proposal complies with the standard, through the performance criteria.

10.4.6 Privacy for all dwellings

The objective of this standard is to provide reasonable opportunity for privacy for dwellings. Proposed dwelling 5 is to have a window to a habitable room, with a floor level more than 1m above natural ground level that is within 6m of dwelling 6 and this dwellings private outdoor space. As a result, proposed dwelling 5 does not comply with acceptable solution A2 (a) (iv) and is not able to comply with (b) of acceptable solution A2. The proposal relies on performance criteria P2.

The performance criteria requires a window or glazed door, to a habitable room of dwelling, that has a floor level more than 1 m above the natural ground level, to be screened, or otherwise located or designed, to minimise direct views to window or glazed door, to a habitable room of another dwelling; and the private open space of another dwelling; and an adjoining vacant residential lot.

To minimise direct views from the window of dwelling 5 onto the private outdoor space of dwelling 6, landscaping, in the form of screening vegetation is proposed within the boundary of dwelling 5. This measure is considered to be adequate to enable the proposal to comply with the performance criteria.

A condition of approval is recommended to ensure the landscaping is maintained for the life of the use.

Part E: Codes

The following codes of the Scheme apply to this proposal:

Landslide Code

The site is identified as being situated in a low risk landslide hazard area as shown in the planning scheme maps (Fig. 3).

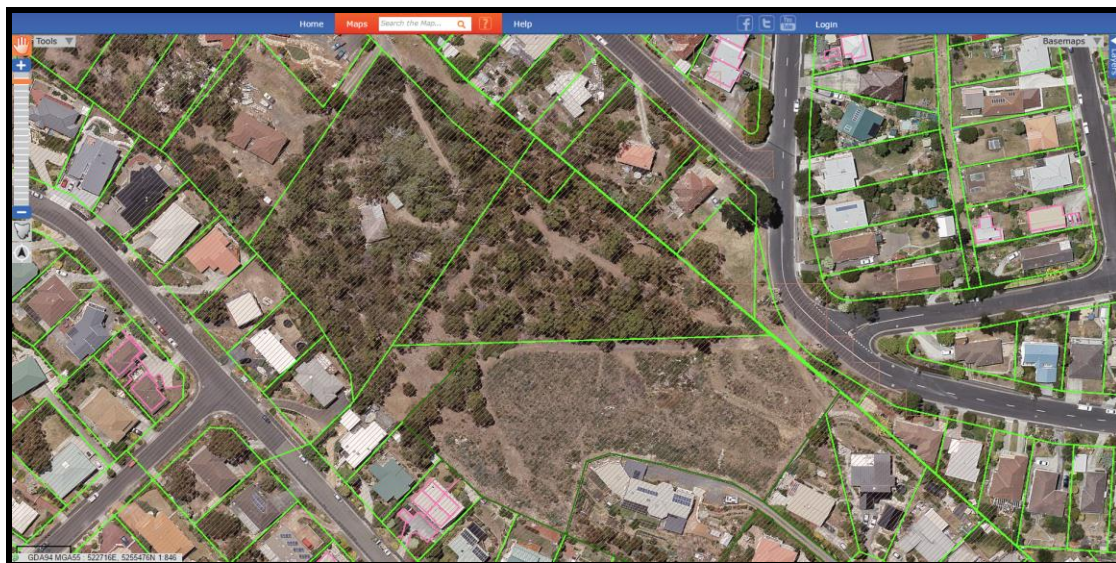


Figure 3. A snapshot of the site, showing the low risk landslide hazard area in planning scheme map, Map E3 Landslide Hazard Area (Low) - LISTmap

E3.0 Landslide Code applies to development for buildings and works or subdivision on land within a Landslide Hazard Area. However, Clause E3.4(c) of the code exempts buildings within a Low Landslide Hazard Area from assessment under the code. Nevertheless, Council's Development Engineer has reviewed the geotechnical report provided by the applicant. The report recommends a lightweight construction and compliance with best practice measures to ensure stability of the site. A condition of approval has been recommended accordingly.

Parking and Access Code

Seventeen parking spaces are proposed. The planning scheme requires two parking spaces for each dwelling with two or more bedrooms and one dedicated visitor parking space per four dwellings. This equates to 18 parking spaces for this proposal. The acceptable solution of E6.6.1 Number of Car Parking Spaces requires no less than the number specified in Table E6.1 and no more than 10% greater than that number. The proposal has a parking shortfall of one space owing to 17 spaces being proposed.

The objective of the standard is to ensure that there is enough car parking to meet the reasonable needs of all users of a use or development, taking into account the level of parking available on or outside of the land and the access afforded by other modes of transport; a use or development does not detract from the amenity of users or the locality by preventing regular parking overspill; and minimising the impact of car parking on heritage and local character.

The proposal is assessed as satisfying the performance criteria owing to the proposed parking being sufficient to meet the reasonable needs of the users of the site, by the convenient location of parking throughout the site for both residents and visitors to the site and by the site being situated along a public transport corridor with approximately 100m to the nearest bus stop. The proposal is assessed as satisfying the performance criteria.

Council's Development Engineer is satisfied that the proposal complies with the applicable standards of the Parking and Access Code.

Stormwater Management Code

Council's Development Engineer in consultation with Council's Hydraulic Engineer, is satisfied that the proposal complies with the applicable standards of the Stormwater Management Code.

PART F: Specific Area Plans

A SAP does not apply to this application.

INTERNAL REFERRALS

Development Engineer

Council's Development Engineer has made the following comments and recommended conditions of approval.

Traffic, Access & Parking

The existing vehicle access is off Springfield Avenue. The numbers of parking spaces required under the GIPS Code E6.6.1 is 18 spaces. On-site turning, passing bay areas and the driveway grades and long-section are provided and considered feasible. The maximum driveway grade is proposed to be 20% between chainage 4.6 to chainage 20. This steepest section is also over the vehicle access apron where it may be steeper than generally allow it is acceptable. It is therefore considered that the site is capable of being developed and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application; and the existing 450 mm stormwater main off the Springfield Avenue is available to be connected at the developer's cost.

Other

Geoscience issues

The land is identified on the Landslide hazard map series as having potential for deep-seated landslide primarily due to the steepness of the land and the soils involved. A geotechnical report was submitted with the application. This report was authored by Geo-Environmental Solutions Pty Ltd. The report is very detailed and the risk summary indicates the risk of deep seated landslide on the site is classified as moderate for damage to property and low for potential loss of life.

The report concludes the land is capable of supporting residential development providing that the identified landscape constraints are addressed with site specific management strategies.

The risk of landslip will not increase substantially as a result of residential development provided that current best practices for construction on hillside slopes are followed however recommends thought should be given to flexible and lighter weight timber construction rather than concrete/brick to minimise any building damage from potential instability in the underlying boulder deposits. A condition is recommended requiring that all development must proceed only in accordance with the recommendations contained in the geotechnical report.

Flooding/Inundation issues

There are no flooding impacts identified through Council's records that affect the application

Waste Management Officer

Council's Waste Management Officer has made the following comments and recommended conditions of approval.

Waste Management Services to the proposed dwellings would be Council's shared bin service, collected weekly.

The wheelie bins should be stored in a bin enclosure within the property boundary and are not to be taken to individual dwellings. The eight dwellings would be eligible for a maximum of 3 x 240L waste wheelie bins and 3 x 240L recycling bins collected weekly to be shared by all the eight dwellings.

Collection of bins would be from the kerbside. Council's Waste Management Contractor collection trucks will not enter the property.

EXTERNAL REFERRALS

TasWater

TasWater is in support of the proposal and has recommended conditions and advice.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with no representation received.

CONCLUSION

The proposal is relying on the performance criteria to comply with the site coverage and private open space for all dwellings, privacy for all dwellings and number of car parking spaces standards. The proposal is assessed as satisfying the performance criteria and complies with the standards. The proposal is assessed as complying with all other use and development standards in the General Residential zone, as well as the relevant standards of the Parking and Access Code and Stormwater Management Code. The application was publicly advertised for the statutory 14-day period and no representations were received. It is concluded that the proposal is consistent with the Scheme's zone purpose statements and is satisfactory.

Recommendation:

That a permit be granted for the proposed use and development of eight multiple dwellings (Residential) relying on performance criteria at 160a Springfield Avenue, West Moonah subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-175 and Drawing No. P6 submitted on 21 October 2016, Drawing No. P4 (pages 6-17 of 33) submitted on 27 September 2016, Drawing No. P5 (pages 3-18 of 18) submitted on 21 October 2016 and Drawing No. P3 (pages 1-2, 4-6, 8-13) submitted on 20 September 2016 except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. This permit allows for the construction of eight dwelling in two stages. Stage 1 is the construction of dwellings 1-5 and associated works. Stage 2 is the construction of dwellings 6-8 and associated works.
4. Dwellings 1, 2, 3 and 4 must have a 1.7m high privacy screen with uniform transparency of no more than 25% along the north western side of the decks owing to the dwellings being located within 6m of the other dwellings. The privacy screen is to be in place prior to the occupancy of each of these dwellings and is to be maintained and remain insitu for the life of the use.
5. Privacy screening, in the form of landscaping is to be provided between dwelling 5 and 6 to minimise direct views from the habitable rooms of dwelling 5 to the private open space of dwelling 6. The privacy screening must in place prior to the issue of the certificate of occupancy of dwelling 5 and 6. The privacy screening must be maintained and remain in-situ for the life of the use.

Engineering

6. Prior to the issuing of a Building Permit Approval or the commencement of works on site, submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of to be approved by the Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.

For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Environment, Parks, Heritage and the Arts. These are available from Council or online at www.derwentestuary.com.au

7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. The proposed parking and driveway area must be constructed to a sealed finish and must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Detailed drawings showing the driveway areas mains, surface drainage collection, pavement composition and finished levels must be in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and submitted prior to the issuing of the Building Permit and be approved by Council's Development Engineer.
9. Prior to the occupancy for each stage, the design and construction of the parking, access, driveway and turning areas must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Detailed engineering drawings showing the driveway and manoeuvring areas, internal service lines and connections to service mains, surface drainage collection, pavement composition and finished levels must be in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and submitted with the Building Application for approval by Council's Development Engineer.
10. The proposed driveway, access and parking must comply with the following:-
 - a) Be constructed to a sealed finish and the finished gradient shall not exceed the maximum gradient of 20% as provided in drawing no. C03A Rev 9 (P3 plan received by Council on 20/09/2016);
 - b) All runoff from paved and driveway areas must be discharged into Council's stormwater system;
 - c) Vertical alignment shall include transition curves (or straight sections) to the Australian Standard, Parking facilities - Part 1: Off-Street Car parking AS 2890.1 - 2004, Clause 2.5.3 (d) at all grade changes greater than 12.5%;
 - d) The gradient of any parking areas must not exceed 5%;
 - e) Minimum carriageway width is to be 4.0 metres;
 - f) Passing bays in accordance to GIPS, E6.7.3 must be provided. One at the access point and one for every 30metre interval;

- g) 17 clearly marked car parking spaces must be provided for the development; of the total required spaces, 1 visitor parking space and 1 disability parking space. Each space must be clearly line-marked and kept available for these purposes at all times;
 - h) Barriers compliant with the Australian Standard AS 1170.1 must be installed to prevent vehicles running off the edge of a carriageway, raised platform or deck where the drop from the edge of the trafficable area to a lower level is 600mm or greater, and wheel stops must be installed for each parking spaces.
- 11. To comply with the above requirements, the developer must submit engineering drawings demonstrating compliance with the requirements to the satisfaction of Council's Development Engineer prior to the issuing of the Building Permit.
 - 12. Any works within Council's road reservation must be carried out by a Council-approved contractor. A property access works application from Council is required to be completed a minimum of 5 days prior to works commencing on-site.
 - 13. All internal hydraulic service works required for the development shall be at the Developer's expense and must comply with the requirements of Council's Plumbing Surveyor. Any alterations or works to Council mains shall be undertaken by Council at the developer's cost.
 - 14. A stormwater connection to an existing stormwater infrastructure in Springfield Avenue will be required to service the development from a design provided by the applicant and approved by Council's Development Engineer. This work is to be funded by the developer and Council will provide an estimate and complete the stormwater connection. Prior to the occupancy, a new stormwater connection via Springfield Avenue to the property boundary must be provided by Council at full cost to the applicant. The developer is required to contact Council's Development Technical Officer on (03) 62166426 to organise for Council to provide a quote to perform the stormwater connection works. Prior to the issuing of Building Permit, the developer must contact Council requesting a quotation for the new Stormwater connection.
 - 15. The development must comply with Council's Stormwater Runoff Management Policy, the Stormwater detention for a 1 in 20 year ARI storm event must be provided on site. Any system proposed to retain the required runoff storage volume must be detailed in an engineering design lodged and approved as part of the plumbing application, and to be designed, constructed and maintained to the satisfaction of Council's Plumbing Surveyor.
 - 16. Run-off from the car parking areas must be discharged and directed to Council's existing stormwater connection. Stormwater pre-treatment is also required.

A Water Sensitive Urban Design element for the treatment of stormwater discharging from the development must be incorporated into the development, in accordance with the Glenorchy Interim Planning Scheme Stormwater Management Code 7 and be approved by Council's Development Engineer prior to the issuing of a Building Permit Approval. The stormwater treatment system has been constructed in accordance with the approved plans. Prior to the issue of a Building Permit Approval, the stormwater treatment detail designed certified by a suitably qualified Engineer must be submitted to and approved by Council.

17. The applicant shall implement the recommendations in the Geotechnical assessment prepared by Geo-Environmental Solutions submitted with the application. The appropriate retaining structure, if required, must be design and certified by a suitably qualified Engineer. The form and certification must be submitted to and approved by Council prior to the issue of a Building Permit.

Waste Management

18. The bins would be stored in a bin enclosure to be built opposite the letter boxes, as shown on the endorsed plan. The bin enclosure must be built within the property boundary, at the entrance of the property, allowing a 4.5m distance from the entrance, to prevent impacting on sight distances for vehicles leaving the site.
19. The design for the bin enclosure must:
 - a) be built on a flat surface with a concrete base/pad and surround of a brick or painted block enclosure or other suitable material to Councils approval,
 - b) have concrete at the entrance to the bin enclosure;
 - c) suit 6 x 240L wheelie bins of size 1100mm height x 600mm wide x 800mm deep and must allow for 300mm space in between each bin;
 - d) be screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area
 - e) the front of the enclosure must face the internal access driveway, the length of the bin enclosure must be accessible to enable the bins to be removed, and returned in a safe and efficient manner;
 - f) have no lip on the concrete slab of the bin enclosure.
20. Prior to occupancy of the dwelling units the bin enclosure must be constructed to the satisfaction of Council's Waste Services Co-ordinator.
21. Adjacent to the kerbside, an area with a minimum 1m width must be provided for the placement of bins for collection. The footpath must be designed and constructed to accommodate the placement of all bins as well as meeting the minimum accessible footpath width (1.8m).

Advice to Applicant

This advice does not form part of the permit but is provided for the information of the applicant.

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2000 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

Services

The designer must ensure that the needs of all providers including TasWater, TasGas, TasNetworks, and Telstra are catered for both in the design and construction of the works. Underground service providers should be contacted for line marking of their services and any requirements or conditions they may have prior to commencing any works on site. Phone 1100, Dial Before You Dig or visit www.dialbeforeyoudig.com.au for information on the location of underground services and cables in relation to the proposed development prior to commencing any works on site.

All development applications that result in an increase in the impervious area of the site, and therefore the peak stormwater discharge rate must incorporate an On-Site Detention System (OSD) in accordance with Council Policy No 28-4. The proposed OSD must provide a runoff storage volume equivalent to the difference between the allowable site discharge and the anticipated maximum discharge over the period of the design storm. An OSD proposal must be submitted with the Plumbing Permit Application and detailed in a hydraulic design for assessment and approval by Council's Plumbing Permit Authority. Water Sensitive Urban Design (WSUD) elements are encouraged. If the developer has any enquiries relating to acceptable methods of providing On-site detention, they should contact Council's Plumbing Surveyor on (03) 6216 6800.

The developer is required to contact Council's Development Technical Officer on (03) 62166426 to organise for Council to provide an estimate of costs and perform the stormwater connection works required for the development.

Waste Management

A level surface clear of the road pavement is to be provided for bin collection points. Allow a 2.m length on the bin collection points per waste and recycling bin, this includes a bin to bin spacing of at least 1m, and where adjacent to a vertical obstruction (such as light/power pole, bus stop or tree), a clearance of 1m from such obstruction. This will provide sufficient spacing for the waste collector to pick up and put down bins without interfering with adjacent bins.

Bin collection points are to be in a single line positioned such that they are on the left hand side of the collection vehicle. Bins need to be accessible by collection vehicle, driver will not leave vehicle to arrange or move bins, and without the vehicle having to reverse.

In an area with an overhead obstruction such as tree canopy a minimum height of 5.0m needs to be allowed for Council's collection vehicle including access to the lifting arm.

The residents or responsible body corporate members have to wheel the bins from the bin enclosure and place the bins on the kerbside for emptying. After the collection has been carried out the bins are to be returned to the bin enclosure.

APPENDIX 1**10.0 General Residential Zone**

Standard	Acceptable Solution	Proposed	Complies?
10.4 Development Standards for Residential Buildings and Works			
10.4.1 Residential density for multiple dwellings.	A1 Multiple dwellings must have a site area per dwelling of not less than: (a) 325m ² ; or (b) if within a density area specified in Table 10.4.1 below and shown on the planning scheme maps, that specified for the density area.	The site area is 5273m ² . site area per dwelling is the area of the site (excluding any access strip) divided by the number of dwellings. The site area per dwelling is 659m ²	Yes
10.4.2 Setbacks and building envelopes for all dwellings:	A1 Unless within a building area, a dwelling, excluding protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m into the frontage setback, must have a setback from a frontage that is: (a) if the frontage is a primary frontage, at least 4.5 m, or, if the setback from the primary frontage is less than 4.5 m, not less than the setback, from the primary frontage, of any existing dwelling on the site; or (b) if the frontage is not a primary frontage, at least 3 m, or, if the setback from the frontage is less than 3 m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; or (c) if for a vacant site with existing dwellings on adjoining sites on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or	The proposal is to be setback more than 4.5m from the primary frontage.	Yes

	(d) if the development is on land that abuts a road specified in Table 10.4.2, at least that specified for the road.		
	A2 A garage or carport must have a setback from a primary frontage of at least: (a) 5.5 m, or alternatively 1 m behind the façade of the dwelling; or (b) the same as the dwelling façade, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1 m, if the natural ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10 m from the frontage.	A garage or carport is not proposed within 5.5m of the frontage.	Yes
	A3 A dwelling, excluding outbuildings with a building height of not more than 2.4 m and protrusions (such as eaves, steps, porches, and awnings) that extend not more than 0.6 m horizontally beyond the building envelope, must: (a) be contained within a building envelope (refer to Diagrams 10.4.2A, 10.4.2B, 10.4.2C and 10.4.2D) determined by: (i) a distance equal to the frontage setback or, for an internal lot, a distance of 4.5 m from the rear boundary of a lot with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3 m above natural ground level at the side boundaries and a distance of 4 m from the rear boundary to a building height of not more than 8.5 m above natural ground level; and	All dwellings proposed are to be within the building envelope, with the maximum height from ground level being 7.06m.	Yes

	(b) only have a setback within 1.5 m of a side boundary if the dwelling: (i) does not extend beyond an existing building built on or within 0.2 m of the boundary of the adjoining lot; or (ii) does not exceed a total length of 9 m or one-third the length of the side boundary (whichever is the lesser).		
10.4.3 Site coverage and private open space for all dwellings	A1 Dwellings must have: (a) a site coverage of not more than 50% (excluding eaves up to 0.6 m); and (b) for multiple dwellings, a total area of private open space (POS) of not less than 60 m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) a site area of which at least 25% of the site area is free from impervious surfaces.	a) The proposed site coverage is to be less than 50%. b) Each dwelling is to have at least 60m² of POS. c) More than 25% of the site is to be free of impervious surfaces.	Yes
	A2 A dwelling must have an area of private open space (POS) that: (a) is in one location and is at least: (i) 24 m²; or (ii) 12 m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and	a) Each dwelling has 24m² of POS in one location either at ground level or as a deck; b) With a minimum horizontal width of 4m, either at ground level or as a deck; c) This POS is not directly accessible from, and adjacent to, a habitable room (other than a bedroom) for dwellings 1, 2, 3, and 4. However, the POS is to be from, and adjacent to, a habitable room (other than a bedroom) for dwellings 5, 6, 7 and 8;	No

	(b) has a minimum horizontal dimension of: (i) 4 m; or (ii) 2 m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8 m above the finished ground level (excluding a garage, carport or entry foyer); and (c) is directly accessible from, and adjacent to, a habitable room (other than a bedroom); and (d) is not located to the south, south-east or south-west of the dwelling, unless the area receives at least 3 hours of sunlight to 50% of the area between 9.00am and 3.00pm on the 21st June; and (e) is located between the dwelling and the frontage, only if the frontage is orientated between 30 degrees west of north and 30 degrees east of north, excluding any dwelling located behind another on the same site; and (f) has a gradient not steeper than 1 in 10; and (g) is not used for vehicle access or parking.	d) The POS is not to be not located to the south, south-east or south-west of all proposed dwellings; e) POS is not proposed to be located between the dwelling and the frontage; f) The POS is not to be on a gradient steeper than 1 in 10; and g) is not used for vehicle access or parking.	
10.4.4 Sunlight overshadowing of all dwellings	A1 A dwelling must have at least one habitable room (other than a bedroom) in which there is a window that faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A).	Each dwelling has a window to a habitable room that faces between 30 degrees west of north and 30 degrees east of north.	Yes
	A2 A multiple dwelling that is to the north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north (see Diagram 10.4.4A), must be in accordance with (a) or (b), unless excluded by (c):	No multiple dwelling is proposed to be north of a window of a habitable room (other than a bedroom) of another dwelling on the same site, which window faces between 30 degrees west of north and 30 degrees east of north.	Yes

	(a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4B): (i) at a distance of 3 m from the window; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause the habitable room to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or (ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
	A3 A multiple dwelling, that is to the north of the private open space, of another dwelling on the same site, required in accordance with A2 or P2 of subclause 10.4.3, must be in accordance with (a) or (b), unless excluded by (c): (a) The multiple dwelling is contained within a line projecting (see Diagram 10.4.4C): (i) at a distance of 3 m from the northern edge of the private open space; and (ii) vertically to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal. (b) The multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June. (c) That part, of a multiple dwelling, consisting of: (i) an outbuilding with a building height no more than 2.4 m; or	Dwellings 1, 2, 3, 4, 6, 7 and 8 satisfies the acceptable solution by not being to the north of the POS of another dwelling. However, dwelling 5 is to the north of the POS of dwelling 6. Dwelliing 5 does not satisfy acceptable solution 9a) owing to the fact that dwelling 5 is separated from the northern edge of the POS of dwelling 6 by 3m, but dwelling 5 is not contained within the envelope described as 'to a height of 3 m above natural ground level and then at an angle of 45 degrees from the horizontal'. In view of this the proposal must comply with (b) to satisfy the acceptable solution. The shadow diagrams indicate that the POS of dwelling 6 will receive a minimum of 3 hours of sunlight between 9.00 am and 3.00 pm on 21st June to 50% of the POS, therefore complying with (b). The proposal complies with the acceptable solution.	Yes

	(ii) protrusions (such as eaves, steps, and awnings) that extend no more than 0.6 m horizontally from the multiple dwelling.		
10.4.5 Width of openings for garages and carports for all dwellings	A1 A garage or carport within 12 m of a primary frontage (whether the garage or carport is free-standing or part of the dwelling) must have a total width of openings facing the primary frontage of not more than 6 m or half the width of the frontage (whichever is the lesser).	No garage or carport within 12 m of a primary frontage is proposed.	Yes
10.4.6 Privacy for all dwellings	A1 A balcony, deck, roof terrace, parking space, or carport (whether freestanding or part of the dwelling), that has a finished surface or floor level more than 1 m above natural ground level must have a permanently fixed screen to a height of at least 1.7 m above the finished surface or floor level, with a uniform transparency of no more than 25%, along the sides facing a: (a) side boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 3 m from the side boundary; and (b) rear boundary, unless the balcony, deck, roof terrace, parking space, or carport has a setback of at least 4 m from the rear boundary; and (c) dwelling on the same site, unless the balcony, deck, roof terrace, parking space, or carport is at least 6 m: (i) from a window or glazed door, to a habitable room of the other dwelling on the same site; or (ii) from a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	The north western side of the decks belonging to dwellings 1, 2, 3 and 4 have a privacy screen owing to the dwellings being located within 6m of the other dwellings and their POS. A privacy screen is not required for the deck of dwelling 5 as this design satisfies the acceptable solution. A privacy screen is not required for the deck of dwelling 6, even though the deck is within 6m of windows to habitable rooms of dwelling 5. This is because the deck of dwelling 6 does not propose a floor level more than 1m above natural ground level. It is noted that the a 1m section of the deck is to be more than 1m above the finished ground level, with the rest of the deck less than 1m above the finished ground level, owing to retaining walls. Privacy screening is not required for the proposed decks of dwellings 7 and 8 owing to these decks not being within 6m of a window or glazed door, to a habitable room of the other dwelling on the same site; or a balcony, deck, roof terrace or the private open space, of the other dwelling on the same site.	Yes

	A2 A window or glazed door, to a habitable room, of a dwelling, that has a floor level more than 1 m above the natural ground level, must be in accordance with (a), unless it is in accordance with (b): (a) The window or glazed door: (i) is to have a setback of at least 3 m from a side boundary; and (ii) is to have a setback of at least 4 m from a rear boundary; and (iii) if the dwelling is a multiple dwelling, is to be at least 6 m from a window or glazed door, to a habitable room, of another dwelling on the same site; and (iv) if the dwelling is a multiple dwelling, is to be at least 6 m from the private open space of another dwelling on the same site. (b) The window or glazed door: (i) is to be offset, in the horizontal plane, at least 1.5 m from the edge of a window or glazed door, to a habitable room of another dwelling; or (ii) is to have a sill height of at least 1.7 m above the floor level or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level; or (iii) is to have a permanently fixed external screen for the full length of the window or glazed door, to a height of at least 1.7 m above floor level, with a uniform transparency of not more than 25%.	Dwelling 5 is to have a window to a habitable room with a floor level more than 1m above natural ground level, that is within 6m of dwelling 6 and it's POS. However, this window is not within 6m of a window or glazed door of the other dwelling. Dwelling 5 does not comply with (a)(iv) or (b) of the acceptable solution.	No
	A3 A shared driveway or parking space (excluding a parking space allocated to that dwelling) must be separated from a window, or glazed door, to a habitable room of a multiple dwelling by a horizontal distance of at least:	All dwellings satisfy the acceptable solution through design or landscaping.	Yes

	(a) 2.5 m; or (b) 1 m if: (i) it is separated by a screen of at least 1.7 m in height; or (ii) the window, or glazed door, to a habitable room has a sill height of at least 1.7 m above the shared driveway or parking space, or has fixed obscure glazing extending to a height of at least 1.7 m above the floor level.		
10.4.7 Frontage Fences for all dwellings	A1 A fence (including a free-standing wall) within 4.5 m of a frontage must have a height above natural ground level of not more than: (a) 1.2 m if the fence is solid; or (b) 1.8 m, if any part of the fence that is within 4.5 m of a primary frontage has openings above a height of 1.2 m which provide a uniform transparency of not less than 30% (excluding any posts or uprights).	No frontage fence is proposed.	NA
10.4.8 Waste Storage for multiple dwellings.	A1 A multiple dwelling must have a storage area, for waste and recycling bins, that is an area of at least 1.5 m² per dwelling and is within one of the following locations: (a) in an area for the exclusive use of each dwelling, excluding the area in front of the dwelling; or (b) in a communal storage area with an impervious surface that: (i) has a setback of at least 4.5 m from a frontage; and (ii) is at least 5.5 m from any dwelling; and (iii) is screened from the frontage and any dwelling by a wall to a height of at least 1.2 m above the finished surface level of the storage area.	A communal bin enclosure is proposed and recommended for approval.	Yes

Appendix 2

E6.0 Parking and Access Code

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (c) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	17 spaces	No
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	1 space	Yes
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number). Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.	N/A	
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	N/A	

Standard	Acceptable Solution	Proposed	Complies?
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	No change	
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (d) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.	No change	
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (b) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	Provided	Yes
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:	Provided	Yes

Standard	Acceptable Solution	Proposed	Complies?
	(a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.		
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 "Design of Parking Modules, Circulation Roadways and Ramps" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 "Headroom" of the same Standard.	Provided	Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Sealed	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 "Basis of Design" and clause 3.6 "Car Parks" in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Provided	Yes
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	Condition	
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (b) be located, designed and constructed to comply with section 2.4.7 "Provision for Motorcycles" of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;	N/A	

Standard	Acceptable Solution	Proposed	Complies?
	(b) be located within 30 m of the main entrance to the building.		
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	N/A	
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 "Design of Parking Facilities" and clauses 3.1 "Security" and 3.3 "Ease of Use" of the same Standard.	N/A	
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	N/A	
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Provided	Yes
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	N/A	

Standard	Acceptable Solution	Proposed	Complies?
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	Will condition for passing bay	To be conditioned

Appendix 3

E7.0 Stormwater Management Code

Standard	Acceptable Solution	Proposed	Complies?
E7.7 Development Standards			
E7.7.1 Stormwater Drainage and Disposal	A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	Provided and to connect to the existing main at developer's cost	To condition
	A2 A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply: (d) the size of new impervious area is more than 600 m ² ; (e) new car parking is provided for more than 6 cars; (f) a subdivision is for more than 5 lots.	Provided and to condition	To condition
	A3 A minor stormwater drainage system must be designed to comply with all of the following: (c) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed; (b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.	To condition	To condition
	A4 A major stormwater drainage system must be designed to accommodate a storm with an ARI of 100 years.	N/A	

Attachments/Annexures

- 1** Attachment 1 - 160A Springfield Avenue, West Moonah
- 2** Attachment 2 - 160A Springfield Avenue, West Moonah

8. PROPOSED USE AND DEVELOPMENT - CHANGE OF USE TO SHOP (GENERAL RETAIL AND HIRE) AND SIGNAGE RELYING ON PERFORMANCE CRITERIA - 133 MAIN ROAD, MOONAH

Author: Planning Officer (Sylvia Jeffreys)

Qualified Person: Planning Officer (Sylvia Jeffreys)

Property ID: 2873323

REPORT SUMMARY:

<i>Application No.:</i>	PLN-16-214
<i>Applicant:</i>	Ireneinc Planning
<i>Owner:</i>	J C Bullock and S A Bullock
<i>Zone:</i>	General Business
<i>Use Class</i>	General Retail and Hire, Shop
<i>Application Status:</i>	Discretionary
<i>Discretions:</i>	E6.6.1 A1 Number of Car Parking Spaces E17.7.1 A1 Standard for Signs (maximum area) E17.7.1 A2 Standard for Signs (maximum number) (The proposal meets all other applicable standards as demonstrated in the attached appendices)
<i>Level 2 Activity?</i>	No
<i>42 Days Expires:</i>	04 Nov 2016
<i>Existing Land Use:</i>	Showroom
<i>Proposal In Brief:</i>	Change of use to Shop (General retail and Hire) and signage relying on performance criteria.
<i>Representations:</i>	0
<i>Recommendation:</i>	Approval, subject to conditions

REPORT IN DETAIL:**PROPOSAL**

The application proposes a change of use from a showroom to a shop (General Retail and Hire), as well as signage. The change of use would involve a change in internal layout to include sales areas and office space. The ground floor has an area of approximately 527m² of which 132m² would be ancillary office area. The use would provide for seven car parking spaces. The proposed signage comprises refurbishment of an existing illuminated pole sign, four wall signs and six window bands.



Figure 1: Proposal Plans - United Studio

SITE and LOCALITY

The subject site is located on the eastern side of Main Road, south of Amy Street. The property is rectangular in shape and has an area of 918m². A large showroom building occupies the site with parking provision at the front of the building.



Figure 2: Subject Property – Council Database 2015

ZONE

The subject property lies within the General Business Zone (royal blue) and abuts the Light Industrial Zone (fuchsia) at the rear.

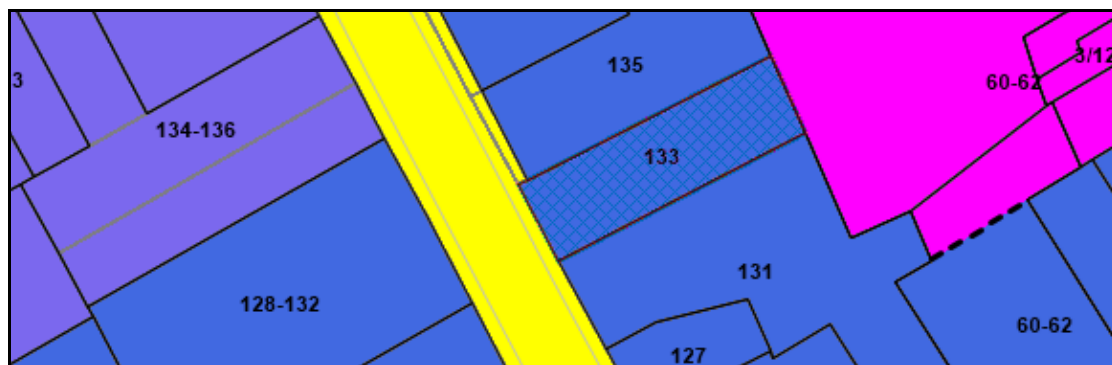


Figure 3: Zoning Map - GIPS 2015

BACKGROUND

The following permits were granted for the site:

- DA 78-92 – Illuminated Sign (Pole Sign) – Approved 2 June 1992
- DA 29-91 Office and Showroom – Approved 22 March 1991

This permit allowed for a Showroom (second-hand furniture) at ground level and three small offices and a lunch room on the second floor. The second floor occupied a little more than a sixth of the building. This permit required 7 carparking spaces.

ASSESSMENT

STATE POLICIES, OBJECTIVES of LUPAA

There are no inconsistencies with any other State Policies or with the objectives of the Land Use Planning and Approvals Act 1993 (LUPAA).

A condition is recommended requiring appropriate soil and water management to prevent erosion and the transport of sediments into surface waters, consistent with the State Policy on Water Quality Management.

GLENORCHY INTERIM PLANNING SCHEME 2015

Part B: Administration

General Exemptions

Nil.

Limited Exemptions

Nil.

Planning Scheme Operation (Does a SAP or Code override Zone provisions?)

There is no Specific Areas Plan applicable but the following codes apply:

- E6.0 Parking and Access Code
- E17.0 Signs Code

Use Class Description (Table 8.2):

The use is classified in Table 8.2 Use Classes as follows:

General retail and hire

use of land for selling goods or services, or hiring goods. Examples include an adult sex product shop, amusement parlour, beauty salon, betting agency, commercial art gallery, department store, hairdresser, market, primary produce sales, shop, shop front dry cleaner, supermarket and video shop

There would also be the ancillary use of office space, ordinarily classified Business and Professional Services. However, in this instance the use for office space forms an integral and subservient part of the main use for a Shop, so that it becomes ancillary in 8.2.2 which is as follows:

- *A use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use.*

Other relevant definitions (Clause 4.1):

Nil.

Part C: Special Provisions

The following special provisions of the Scheme apply to this proposal:

Nil.

Part D: Zones

The land is within the General Business Zone and the following Scheme zone purpose statements, use table, use standards and/or development standards apply to this proposal:

Zone Purpose Statements

To provide for business, community, food, professional and retail facilities serving a town or group of suburbs.

- To ensure the major centres provide for a range of convenience and goods and services as well as some community services and facilities for the municipal area and surrounds.
- To provide a focus for employment at the municipal level primarily in retailing, but complemented by a range of office based employment mainly in professional and personal services.

- To facilitate residential use above ground floor level.
- To ensure development is highly accessible by public transport, walking and cycling.
- To provide a safe, comfortable and pleasant environment for workers, residents and visitors through the provision of high quality urban spaces and urban design.

Comment

It is considered that the proposed change of use would meet the above objectives, as it would be for a Shop. The use for a Shop would contribute to the range of goods available in the locality and would provide for employment in retailing, in accordance with the above objectives. The use for a Shop is a preferred use at this location as it normally is a 'permitted' use.

Use Table

The use is classed General Retail and Hire, which is a 'permitted' use within the General Business Zone. However, the application is discretionary pursuant to subclause 8.8.1 (b), owing to the reliance of the proposal on the performance criteria of an applicable standard.

Discretions

E6.6.1 A1 Number of Car Parking Spaces

E17.7.1 A1 Standard for Signs (maximum area)

E17.7.1 A2 Standards for Signs (maximum number)

Use Standards

There are standards 21.3 Use Standards in relation to operating hours, external lighting and commercial vehicle movements which are applicable to uses within 50m of a residential zone. There is also as a noise standard with no separation distance. These standards are not applicable because the property is outside the specified distance and is not expected to generate noise.

Development Standards for Residential Buildings & Works

The standards in 21.4. Development Standards for Buildings and Works would not be applicable because there would be no external works.

Part E: Codes

The following codes of the Scheme apply to this proposal:

E6.0 Parking and Access Code

The proposal plans show seven parking spaces as previously required under the permit for the showroom use. However, the change of use requires more parking in Table E.6.1 Number of Car Parking Spaces as follows:

Use Class: General retail and hire

General retail and hire, except as otherwise specified in this table.	1	for each 30m ² of floor area.
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The floor area of the proposed use is approximately 527m², which would require the provision of 17 spaces, which means the proposal does not accord with the Acceptable Solution in E6.6.1 A1 Number of Car Parking Spaces.

The Performance Criteria is set forth in E6.6.1 P1 Number of Car Parking Spaces as follows:

The number of on-site car parking spaces must be sufficient to meet the reasonable needs of users, having regard to all of the following:

- (a) *car parking demand;*
- (b) *the availability of on-street and public car parking in the locality;*
- (c) *the availability and frequency of public transport within a 400m walking distance of the site;*
- (d) *the availability and likely use of other modes of transport;*
- (e) *the availability and suitability of alternative arrangements for car parking provision;*
- (f) *any reduction in car parking demand due to the sharing of car parking spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces;*
- (g) *any car parking deficiency or surplus associated with the existing use of the land;*
- (h) *any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement, except in the case of substantial redevelopment of a site;*
- (i) *the appropriateness of a financial contribution in lieu of parking towards the cost of parking facilities or other transport facilities, where such facilities exist or are planned in the vicinity;*
- (j) *any verified prior payment of a financial contribution in lieu of parking for the land;*
- (k) *any relevant parking plan for the area adopted by Council;*
- (l) *the impact on the historic cultural heritage significance of the site if subject to the Local Heritage Code;*
- (m) *whether the provision of the parking would result in the loss, directly or indirectly, of one or more significant trees listed in the Significant Trees Schedule.*

The application was referred to Council's Development Engineer who commented that the shortfall would be acceptable in line with the Performance Criteria above. For further comments, please refer to Engineering Assessment later in this report.

E17.0 Sign Code

The application includes the following signage:

- refurbishment of an existing illuminated pole sign
- 4 wall signs (approximately 47.7m²)
- 4 window bands (approximately 27%)

The proposed signage includes an approved pole sign and wall signage for which there was no approval found. This premises had wall signage for a long time in the same location as the proposed signage where the difference would be an additional strip on the south side of the building and a solid strip above the second floor windows instead of a series of smaller signs. The window signage would be all new.

E17 Signs Code

The purpose of the signage code is as follows:

- (a) provide opportunities for commercial advertising essential to support and encourage business activity;
- (b) promote the use of well-designed signs that complement and enhance the streetscape and do not exacerbate visual clutter or adversely impact on residential amenity;
- (c) promote signs which assist with way-finding and pedestrian usability as part of a coordinated interpretative and directional signage framework;
- (d) ensure that signs do not adversely impact on the cultural heritage values of places of cultural significance.

Comment:

It is considered that the proposed signage would meet the above objectives as it would not adversely affect the streetscape or the amenity of neighbouring properties.

E17.3 Definition of Terms

The following definitions apply:

Wall Sign

means a sign painted on or attached parallel to the wall of a building or fence surrounding a building.

Window Sign

means a sign on the glass surface of a window or located less than 150mm behind a surface.

E17.4 Use and Development Exempt from this Code

This section allows for exemptions from requiring a permit as follows, which includes the following:

- *Changes to the graphics of a legally existing sign, including text, graphic design and colour is exempt from requiring a permit under this planning scheme.*

Comment:

The existing pole sign which was granted approval in 1992 and would therefore be exempt. No approval was found for the existing wall signage.

Table E17.7 Exempt Signs

The other two signage types would not be exempt under Table E17.7 Exempt Signs as they exceed the limits as follows:

Wall Sign

- (a) *No more than 1 Wall Sign per building.*
- (b) *Must not be illuminated.*
- (c) *The sign is not at a Heritage Place subject to the Historic Heritage Code or within a Heritage Precinct or Cultural Landscape Precinct.*

Window Sign

- (a) *No more than 2 Window Signs per building.*
- (b) *The sign is not at a Heritage Place subject to the Historic Heritage Code or within a Heritage Precinct or Cultural Landscape Precinct.*

Comment:

There would be four wall signs and six window signs, so that the exemption does not apply.

E17.2 Sign Standard

The following sign standards are applicable:

Wall Sign

- (a) *Message on the front face only;*
- (b) *Projection from the face of the wall or fence no more than 450mm;*
- (c) *Does not extend laterally beyond the wall or above the top of the wall to which it is attached;*
- (d) *Area of sign no more than 2m².*

Window Sign

- (a) *Does not obscure more than 10% of the window surface.*
- (b) *Must be on a ground floor level window.*

Comment:

The proposed signage does not comply with the above standard in 17.2 Sign Standard and therefore invokes the following discretions:

Discretions

- E17.7.1 A1 Standard for Signs (Table E17.2 Sign Standards):
 - Wall sign exceeds 2m²
 - Window sign obscures more than 10% of window.
- E17.7.1 A2 (a), (b) and (c) Standards for Signs
 - maximum of 1 of each sign type
 - maximum of 1 window sign per window;
 - if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3;

E17.6.1 Use of Signs

The proposed sign accords with the standard in E17.6.1 Use Standard as it is a 'permitted' sign within the General Business Zone; relates to the site to which it is affixed; does not contain flashing lights, moving parts or changing messages; and is not an illuminated sign within 30m of a residential use.

E17.7.1 Development Standards

The proposed signage is in accordance with Table E17.3 Status of Signs in Zone but not with Table E17.2 Sign Standard so that it does not meet the Acceptable Solution in E17.7.1 A1 and A2 Standards for Signs.

E17.7.1 A1

The wall sign exceeds 2m² and the window signs exceed 10% of the window. The Performance Criteria is set out in E17.7 Development Standards as follows:

A sign not complying with the standards in Table E17.2 or has discretionary status in Table E17.3 must satisfy all of the following:

- (a) be integrated into the design of the premises and streetscape so as to be attractive and informative without dominating the building or streetscape;*
- (b) be of appropriate dimensions so as not to dominate the streetscape or premises on which it is located;*
- (c) be constructed of materials which are able to be maintained in a satisfactory manner at all times;*
- (d) not result in loss of amenity to neighbouring properties;*
- (e) not involve the repetition of messages or information on the same street frontage;*

- (f) *not contribute to or exacerbate visual clutter;*
- (g) *not cause a safety hazard.*

Comment

It is considered that the proposed signage would accord with the above Performance Criteria, as it would be integrated, be of appropriate dimensions and not result in the loss of amenity of neighbouring properties. The proposed wall signage would be much the same as previously in terms of proportions and the window signage would be in keeping the overall look of the premises. The proposed signage is in an area where many large commercial signs exist and would therefore not adversely affect the amenity of neighbouring properties or the streetscape.

E17.7.1 A2

The proposed signage exceeds 1 of each signage type; there would be four wall signs and six window signs. The proposal also exceeds 1 sign per window as there would be two windows with two signs. The Performance Criteria is set forth in E17.7.1 A2 and is as follows:

The number of signs per business per street frontage must:

- (a) *minimise any increase in the existing level of visual clutter in the streetscape; and where possible, shall reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs;*
- (b) *reduce the existing level of visual clutter in the streetscape by replacing, where practical, existing signs with fewer, more effective signs;*
- (c) *not involve the repetition of messages or information.*

It is considered that the proposed signage would be in accordance with the above objectives. Previous signage was located in much the same area so that there would be only a minor increase on the south wall that would display a band of business colour and the new window signage. Therefore, it is not considered that there would be an increase of visual clutter.

PART F: Specific Area Plans

Nil.

INTERNAL REFERRALS

Development Engineer

Comments

The development application seeks an approval for change of use to shop – cash convertor business and new signage. The Tool Market is the previous site occupier.

Traffic, Access & Parking

The applicant proposes 7 parking spaces including 1 accessible parking. According to the GIPS Code 6.6.1 the 'General retail and hire' use, the site is required to have the total of 17 parking spaces. Though the shortfall (10) is significant, it is considered compliance with the performance criteria and the local traffic conditions are not expected to be significantly affected.

GCC Services (Stormwater)

There are no GCC stormwater mains affected by this application; and the stormwater connections are available off the Main road frontage.

Other***Geoscience issues***

There are no Geotechnical issues identified through Council's records that affect the application.

Flooding/Inundation issues

There are no flooding impacts identified through Council's records that affect the application

EXTERNAL REFERRALS**TasWater**

Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(2)(a) TasWater does not object to the proposed development and no conditions are imposed.

REPRESENTATIONS

The application was advertised for the statutory 14-day period with nil representation being received.

CONCLUSION

The application proposes a change of use from a showroom to a Shop (General Retail and Hire), as well as signage. The use of a shop is normally a 'permitted' use within the General Business Zone. However the application is discretionary as it seeks discretions in regards to parking and signage. Whilst the use of the site is not dissimilar to the previous use, it required re-classification which results in a higher car parking requirement. Nevertheless, the parking shortfall was assessed by the Development Engineer and was found to be acceptable. The signage also invokes 'discretions' because of its area, the coverage over the windows and the number of signs. It is considered that the proposed wall signage would be much the same as previously in terms of proportions. The additional window signage would also be acceptable, as it would be in keeping with the appearance of the premises. Overall, the proposed signage is in an area where there are many existing commercial signs and would therefore not adversely affect the amenity of neighbouring properties or the streetscape.

The application was advertised in accordance with statutory requirements and there were no representations received.

The proposal complies with all other standards and does not require conditions for operating hours as the use is not within 50m of a residential zone.

Recommendation:

That a permit be granted for the proposed use and development of Change of use to Shop (General retail and Hire) and signage relying on performance criteria at 133 Main Road, Moonah subject to the following conditions:

Planning

1. Use and development shall be substantially in accordance with planning permit application No. PLN-16-214 and Drawing No. P1 submitted on 20/09/16 and Drawing No. P2 submitted on 22/09/16, except as otherwise required by this permit.
2. Any conditions and/or advice as determined by TasWater, and set out in the attached Appendix A, form part of this permit.
3. The use for office space must be directly associated with and must be a subservient part of the use for a Shop (General Retail and Hire).
4. No sign must contain flashing lights, moving parts or moving or changing messages or graphics.

Engineering

5. Prior to the issuing of a Building Permit Approval or the commencement of works on site, including demolition (whichever occurs first), submit a Soil and Water Management Plan detailing proposed sediment and erosion control measures to the satisfaction of to be approved by the Council's Development Engineer. The approved control measures must be installed prior to any disturbance of soil or construction activity such as concrete cutting, demolition and must be regularly inspected and maintained during the construction and demolition period to prevent soil and other materials entering the local stormwater system, roadways or adjoining properties. The approved control measures must remain in place until such time as all construction activity likely to generate sediment has been completed or all disturbed areas have been stabilised using vegetation and/or restored or sealed to the satisfaction of the Council. The approved Soil and Water Management Plan (SWMP) forms part of this permit and must be complied with.
6. Advice: For further information please refer to the Soil and Water Management Fact Sheets published by the Department of Environment, Parks, Heritage and the Arts. These are available from Council or online at www.derwentestuary.org.au.

7. The loading and unloading of goods, including building materials and equipment, from vehicles must only be carried out on the land.
8. The proposed parking area must be constructed to a sealed finish, properly line-marked and must generally comply with the Australian Standard, Parking facilities, Part 1: Off-Street Car parking, AS 2890.1 – 2004, to the satisfaction of the Council's Development Engineer. Detailed drawings showing the driveway areas, surface drainage collection and layout design must be in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking and submitted prior to the issuing of the Building Permit and be approved by Council's Development Engineer. The proposed driveway and parking areas must comply with the following:-
 - Be constructed to a sealed finish and line-marked in accordance with the approved plan P1 dated 20/09/2016; and
 - All runoff from paved and driveway areas must be discharged into Council's stormwater system;
9. To comply with the above requirements, the developer must submit engineering drawings demonstrating compliance with the requirements to the satisfaction of Council's Development Engineer prior to the issuing of the Building Permit.
10. Seven (7) clearly marked car parking spaces must be provided as shown on the Site Plan submitted with the development application and kept available for these purposes at all times. Car parking spaces, manoeuvring areas and aisles must be provided in accordance with the Australian Standard AS 2890.1 – 2004 Off-Street Parking.
11. Of the total required number of car parking spaces of the completed development, one (1) car parking space shall be provided for the use of visitor parking. The parking space to be provided must be marked, with clearly painted markings, as "accessible parking".

Advice to Applicant

This advice does not form part of the permit but is provided for the information of the applicant.

Other Permits

Please be aware that this planning permit is a planning approval issued under the Glenorchy Interim Planning Scheme 2015. You should consult with an accredited Building Surveyor prior to commencing this use or work to ensure all relevant requirements of the Building Act 2000 are complied with. In addition to this planning permit, a building permit and/or plumbing permit may also be required. If further clarification is required, please contact Council's Building Section on 62166800.

APPENDIX**E6.0 Parking and Access Code**

Standard	Acceptable Solution	Proposed	Complies?
E6.6 Use Standards			
E6.6.1 Number of Car Parking Spaces	A1 The number of on-site car parking spaces must be: (e) no less than the number specified in Table E6.1 and no more than 10% greater than that number; except if: (i) the site is subject to a parking plan for the area adopted by Council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (ii) this provision was not used in this planning scheme.	17 spaces required Proposed 7 spaces 10 shortfalls	Yes – performance criteria
E6.6.2 Number of Accessible Car Parking Spaces for People with a Disability	A1 Car parking spaces provided for people with a disability must: (a) satisfy the relevant provisions of the Building Code of Australia; (b) be incorporated into the overall car park design; (c) be located as close as practicable to the building entrance.	Provide 1 space	Yes
E6.6.3 Number of Motorcycle Parking Spaces	A1 The number of on-site motorcycle parking spaces provided must be at a rate of 1 space to each 20 car parking spaces after the first 19 car parking spaces except if bulky goods sales, (rounded to the nearest whole number).	N/A	

Standard	Acceptable Solution	Proposed	Complies?
	Where an existing use or development is extended or intensified, the additional number of motorcycle parking spaces provided must be calculated on the amount of extension or intensification, provided the existing number of motorcycle parking spaces is not reduced.		
E6.6.4 Number of Bicycle Parking Spaces	A1 The number of on-site bicycle parking spaces provided must be no less than the number specified in Table E6.2.	N/A	
E 6.7 Development Standards			
E6.7.1 Number of Vehicle Accesses	A1 The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.	No change	
E6.7.2 Design of Vehicular Accesses	A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;	No change	

Standard	Acceptable Solution	Proposed	Complies?
	(f) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 "Access Driveways and Circulation Roadways" of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.		
E6.7.3 Vehicular Passing Areas Along an Access	A1 Vehicular passing areas must: (c) be provided if any of the following applies to an access: (i) it serves more than 5 car parking spaces; (ii) is more than 30 m long; (iii) it meets a road serving more than 6000 vehicles per day; (b) be 6 m long, 5.5 m wide, and taper to the width of the driveway; (c) have the first passing area constructed at the kerb; (d) be at intervals of no more than 30 m along the access.	Available	Yes
E6.7.4 On-Site Turning	A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following: (a) it serves no more than two dwelling units; (b) it meets a road carrying less than 6000 vehicles per day.	Available	Yes

Standard	Acceptable Solution	Proposed	Complies?
E6.7.5 Layout of Parking Areas	A1 The layout of car parking spaces, access aisles, circulation roadways and ramps must be designed and constructed to comply with section 2 “Design of Parking Modules, Circulation Roadways and Ramps” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking and must have sufficient headroom to comply with clause 5.3 “Headroom” of the same Standard.	Provided	Yes
E6.7.6 Surface Treatment of Parking Areas	A1 Parking spaces and vehicle circulation roadways must be in accordance with all of the following; (a) paved or treated with a durable all-weather pavement where within 75m of a property boundary or a sealed roadway; (b) drained to an approved stormwater system, unless the road from which access is provided to the property is unsealed.	Existing – sealed	Yes
E6.7.7 Lighting of Parking Areas	A1 Parking and vehicle circulation roadways and pedestrian paths serving 5 or more car parking spaces, used outside daylight hours, must be provided with lighting in accordance with clause 3.1 “Basis of Design” and clause 3.6 “Car Parks” in AS/NZS 1158.3.1:2005 Lighting for roads and public spaces Part 3.1: Pedestrian area (Category P) lighting.	Addressed in the application letter	Yes
E6.7.8 Landscaping of Parking Areas	A1 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5 percent of the area of the car park, except in the Central Business Zone where no landscaping is required.	N/A	

Standard	Acceptable Solution	Proposed	Complies?
E6.7.9 Design of Motorcycle Parking Areas	A1 The design of motorcycle parking areas must comply with all of the following: (c) be located, designed and constructed to comply with section 2.4.7 “Provision for Motorcycles” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking; (b) be located within 30 m of the main entrance to the building.	N/A	
E6.7.10 Design of Bicycle Parking Facilities	A1 The design of bicycle parking facilities must comply with all the following; (a) be provided in accordance with the requirements of Table E6.2; (b) be located within 30 m of the main entrance to the building.	N/A	
	A2 The design of bicycle parking spaces must be to the class specified in table 1.1 of AS2890.3-1993 Parking facilities Part 3: Bicycle parking facilities in compliance with section 2 “Design of Parking Facilities” and clauses 3.1 “Security” and 3.3 “Ease of Use” of the same Standard.	N/A	
E6.7.11 Bicycle End of Trip Facilities	A1 For all new buildings where the use requires the provision of more than 5 bicycle parking spaces for employees under Table E6.2, 1 shower and change room facility must be provided, plus 1 additional shower for each 10 additional employee bicycle spaces thereafter.	N/A	

Standard	Acceptable Solution	Proposed	Complies?
E6.7.12 Siting of Car Parking	A1 Parking spaces and vehicle turning areas, including garages or covered parking areas in the Inner Residential Zone, Urban Mixed Use Zone, Village Zone, Local Business Zone and General Business Zone must be located behind the building line of buildings located or proposed on a site except if a parking area is already provided in front of the building line of a shopping centre.	Provided	Yes
E6.7.1.13 Facilities for Commercial Vehicles	A1 Commercial vehicles facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless: (a) the delivery of all inward bound goods is by a single person from a vehicle parked in a dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.	Addressed in the application letter – for loading and unloading goods	
E6.7.14 Access to a Road	A1 Access to a road must be in accordance with the requirements of the road authority.	No change	

APPENDIX

21.0 General Business

Standard	Acceptable Solution	Proposed	Complies?
21.3 Use Standards			
21.3.1 Hours of Operation	A1 Hours of operation of a use within 50 m of a residential zone must be within: (d) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (e) 7.00 am to 9.00 pm Sundays and Public Holidays. except for office and administrative tasks.	Weekdays: 9:00am to 5:00pm Saturdays: 9:00am to 4:00pm Sundays: 10:00am to 4:00pm Public Holidays: 10:00am to 4:00pm Not within 50m of residential zone.	Yes
21.3.2 Noise	A1 Noise emissions measured at the boundary of a residential zone must not exceed the following: (a) 5dB(A) (LAeq) between the hours of 7.00 am to 7.00 pm; (b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, between the hours of 7.00 pm to 7.00 am; (c) 65dB(A) (LAmx) at any time. Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.	Not noise generating activity.	Yes

Standard	Acceptable Solution	Proposed	Complies?
	Noise levels are to be averaged over a 15 minute time interval.		
21.3.3 External Lighting	A1 External lighting within 50 m of a residential zone must comply with all of the following: (a) be turned off between 11:00 pm and 6:00 am, except for security lighting; (b) Security lighting must be baffled to ensure they do not cause emission of light outside the zone.	Not within 50m of residential zone.	Yes
21.3.4 Commercial Vehicle Movements	A1 Commercial vehicle movements, (including loading and unloading and garbage removal) to or from a site within 50 m of a residential zone must be within the hours of: (a) 6.00 am to 10.00 pm Mondays to Saturdays inclusive; (b) 7.00 am to 9.00 pm Sundays and public holidays.	Not within 50m of residential zone.	Yes.

There are no building works proposed. Therefore, 21.4 Development Standards are not applicable.

APPENDIX**E17.0 Signs Code**

Standard	Acceptable Solution	Proposed	Complies?
E17.6 Use Standards			
E17.6.1 Use of Signs	A1 A sign must be a permitted sign in Table E17.3	General Business Zone 'permitted"	Yes
	A2 A sign associated with the sale of goods or services must relate directly to the use of the building or site to which it is affixed.	The signage would be associated with the shop use.	Yes
	A3 A sign must not contain flashing lights, moving parts or changing messages or graphics, except if a Statutory Sign	Not proposed, condition.	Yes
	A4 An illuminated sign must not be located within 30 metres of a residential use, except if a Statutory Sign.	Not within 30m of residential zone.	Yes.
E17.7 Development Standards			
E17.7.1 Standards for Signs	A1 A sign must comply with the standards listed in Table E.17.2 and be a permitted sign in Table E17.3.	Wall Sign more than 2m ² Window signage covers more than 10%	Discretion see report
	A2 The number of signs per business per street frontage must comply with all of the following: (a) maximum of 1 of each sign type; (b) maximum of 1 window sign per window; (c) if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3; (d) if the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6.	There would be 4 wall signs and 4 Window Signs • 2 windows would have 2 signs More than 3 signs	Discretion see report

Standard	Acceptable Solution	Proposed	Complies?
	except for the following sign types, for which there is no limit; (i) Building Site, (ii) Name Plate, (iii) Newspaper Day Bill, (iv) Open/Closed, (v) Real Estate, (vi) Street Number, (vii) Temporary Sign.		
	A3 Signs must not obscure or prevent or delay a driver from seeing a Statutory Sign or a Tourist Information Sign.	Not near statutory sign	Yes
	A4 Signs must not resemble Statutory Signs because of the same or similar shape, size, design, colour, letter size or lighting.	Does not resemble statutory sign	Yes
	A5 For properties that have a common boundary with Brooker Avenue, any advertising sign must be located at least 5m from that boundary.	Not near Brooker	N/A
E17.7.2 Standards for signs on Heritage Places subject to the Heritage Code or within Heritage Precinct or Cultural Landscape Precincts	A1 No acceptable solution	Not heritage listed	N/A

Attachments/Annexures

- 1** Attachment - Location Map - 133 Main Road, Moonah
- 2** Attachment - Plans - 133 Main Road, Moonah
- 3** Attachment - Site Plan - 133 Main Road, Moonah
- 4** Attachment - TasWater - 133 Main Road, Moonah

CLOSED TO MEMBERS OF THE PUBLIC

9. APPEALS REPORT

This item is to be considered at a closed meeting of the Glenorchy Planning Authority by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(4).